

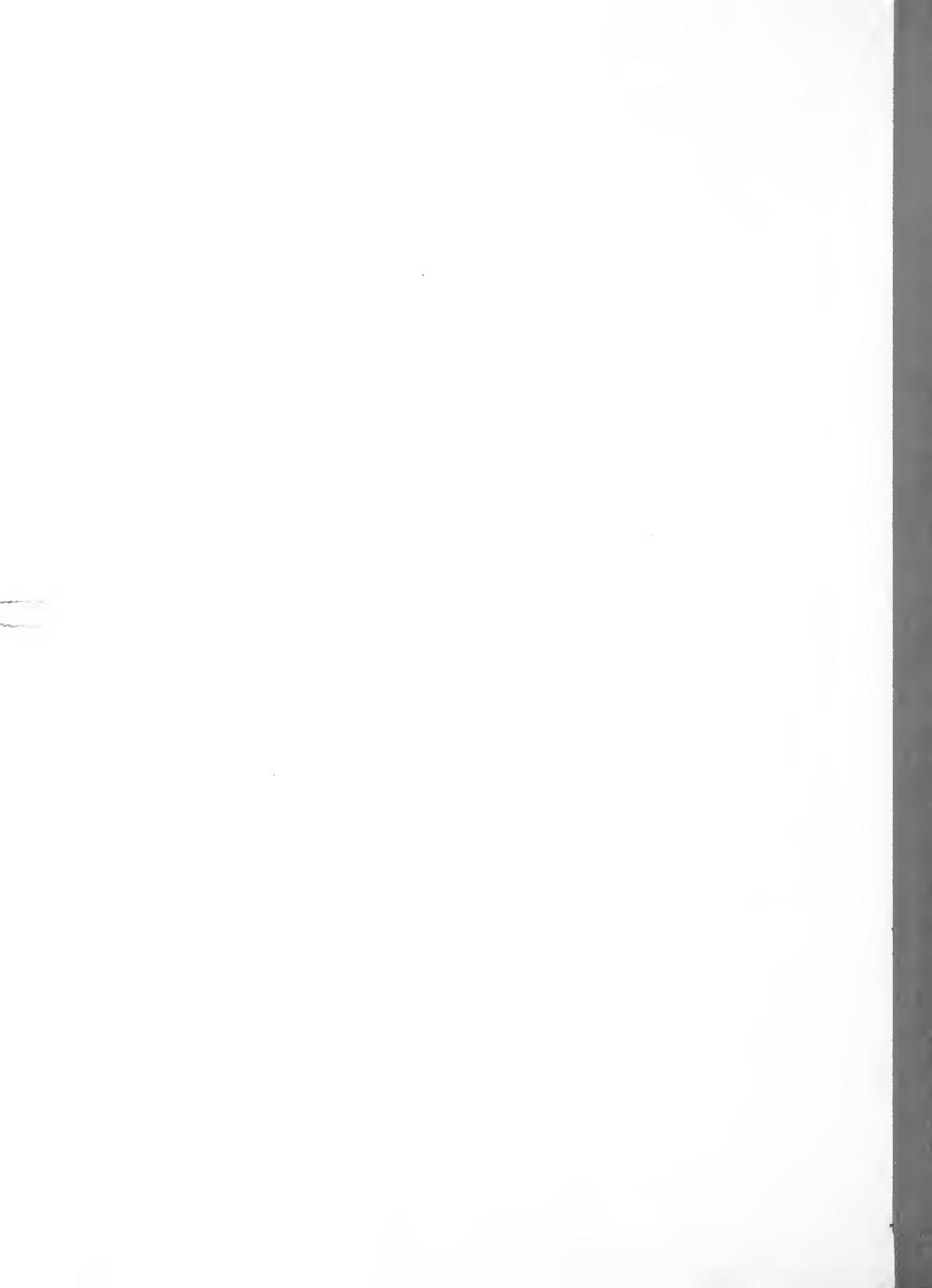


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THE

IMPORTANT AND INTERESTING

DEBATE,

ON THE

CLAIM OF THE CATHOLICS

TO A PORTION OF THE

COMMON SCHOOL FUND;

WITH THE ARGUMENTS OF COUNSEL,

BEFORE THE

BOARD OF ALDERMEN OF THE CITY OF NEW-YORK,

ON THURSDAY AND FRIDAY, THE 29th AND 30th OF OCTOBER, 1840.

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SPECIALLY REPORTED BY R. SUTTON, PROFESSIONAL SHORT-HAND WRITER.

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[SECOND EDITION.]



NEW-YORK:

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INTRODUCTION.

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ON presenting to the public a report of the late important discussion before the Common Council of the city of New York, on the subject of popular education, and the Petition of the Catholics for an alteration in the present mode of administering the school fund in this city, it will not be considered inappropriate to accompany it, by way of preface, with a brief narrative of the agitation of the question here during the present year. The following statement is accordingly given of the proceedings on the subject.

There will be found in the debate information respecting the Common School System, its origin and its operation throughout this State, sufficient for all general purposes.—A more detailed reference to that portion of the subject will therefore be unnecessary here. With Catholics and with the Catholic Church, the education of youth has ever been an object of peculiar solicitude, as the vast means will testify, which this Church (let her enemies say what they will) has always provided for popular instruction, through the agency of her religious orders and otherwise. But in all cases it has been one of their most anxious cares that the instruction imparted should not only not impair religious faith, which is the basis of all moral good, but should strengthen and confirm it in the minds of those upon whom the benefits of education were conferred. In the early and middle ages, this task of education was discharged throughout christendom almost exclusively by ecclesiastics or religious persons who maintained numerous schools in which instruction was free to all who sought it. Men were then not divided as they are now in their religious belief. But with the conflict of creeds, came an altered state of things wherever it prevailed. The religious spirit, which, in Catholic times, led men and associations of men, voluntarily and without hope of earthly reward, to devote their lives and their faculties to a compliance with the counsel of mercy, that declared it to be a divine virtue "to instruct the ignorant," had in a great measure disappeared, and nothing equivalent had arisen in its place. After a time, however, various governments attempted the establishment of general national systems of education, and in those countries where an equality of rights was secured in any considerable degree, to the several religious denominations, much difficulty was and is yet experienced in contriving a system that would be acceptable to all alike. It is not necessary here to refer to the various plans that have been agitated or adopted in other places. The history of the subject in this State is the only one which it will be necessary to glance at. Here the system (by what means it matters not at present to inquire) gradually assumed a form under the management of the Public School Society of the city of New York, which it is believed education has not assumed in any other country—a form of which religion not only constitutes no part, but in which it is avowedly excluded. To such a system Catholics could never give their confidence—and what rendered it still more objectionable with them, was the fact that it had a strong anti-Catholic tendency, especially in the character of the books that were used for school exercises. The Catholics generally declined to participate in what they considered to be, at the best, the very dubious benefits of this system. They complained of the unjust administration of the public fund by which this system was supported—a publication furnishes a faithful report.<sup>1</sup>

fund to which they, in common with others, had contributed; and in order to supply the wants of their own poor so far as they had the means to do so, they established free schools subject to their own control.

More particular attention having been recently called to the subject, some action on the part of the Catholics was deemed necessary, and a Catholic Association was formed in this city in the early part of the present year, for the purpose of obtaining a remedy, if practicable, for the grievance under which the Catholics labored in this matter. Weekly meetings were held for several months in the school house attached to the Cathedral Church—political views and feelings were most sedulously excluded from all their proceedings—men of all political parties participated in the movement—memorials were presented to the Common Council of the city of New York for relief, their prayer was denied, and the subject had thus acquired a considerable public interest previous to the meeting of the Association and of the general body of the Catholics, which was held on the evening of the 20th of July last, in the school house above mentioned, immediately after the return of the Right Rev. Dr. Hughes from Europe.

At this meeting the very Rev. Dr. Power presided, and it was ably and eloquently addressed by him and by the Rt. Rev. Dr. Hughes, and also by other gentlemen. The meetings from that time forward were regularly held once in two weeks in the basement room of St. James' Church, and assumed a most important character. Bishop Hughes delivered on every evening an eloquent and instructive address on the subject. The very Rev. Dr. Power also frequently addressed the meetings in his powerful and impressive manner, and occasional speeches were likewise made by several Catholic gentlemen who took a warm interest in the proceedings.

On the 10th of August, an "Address of the Roman Catholics to their fellow-citizens of the City and State of New York" was adopted by the meeting of Catholics held on that day, and it was published in pamphlet form, and also in an extra issued from the office of the New York Freeman's Journal, and some other papers of the city. The Address excited much attention, and a document, purporting to be a "Reply" to its arguments, was issued by the Public School Society.

On the 21st of September, a petition to the Common Council of the city of New York, for relief, was adopted at the Catholic meeting held on that day in the basement of St. James' Church, and was forthwith presented by a committee, deputed for the purpose, to the Board of Aldermen who were then in session. A copy of the petition is annexed to this introduction.

After some discussion and postponements, the 29th of October was finally appointed by the Board of Aldermen to hear the Catholics and those opposed to them, by counsel or otherwise, on the subject of their petition—the Public School Society and the Methodist Episcopal Church having sent in to the Common Council remonstrances against granting the prayer of the Catholic petition. On that day and the succeeding one the debate took place, of which the present

The proceedings of the several Catholic meetings on this subject since the one of the 20th of July inclusive, were from time to time fully and accurately reported in the New York Freeman's Journal, and the following interesting extract from the speech of Bishop Hughes at the last meeting, which was held on the subject, on the 19th of October last, is taken from that Journal of the 24th of the same month. It is given here as being particularly appropriate and instructive.

Speaking of the introduction into the Public Schools of the works of Protestant writers exclusively, the Bishop asked,

"What reason they (the Trustees of the Public Schools) had to give for the introduction of these writers—Robertson, Hume and others—what reason they could have, when they knew there were such a multitude of Catholic writers, to suppress even the least occasional mention of Catholic writers? Was it because Catholics have no men who have labored in the fields of science to improve the human mind? Now, though it may be a secret to those gentlemen, there is no department of History or Philosophy in which the mind of a Catholic has not taken the lead; and the time was, when the Catholic arm was found the strongest in pushing the Sun of Science up the Heavens. Who has produced works of Theology like ours. In Philosophy, whether of mind or matter, where are the books which for depth of research, or extent of knowledge, equal or approach the mighty tomes produced by Catholics? And at the period when ancient civilization was destroyed, when the edifice crumbled under the mighty stroke of the Goth and the Hun, and when society was dissolved, we found Catholic minds presiding over its reconstruction, laying its foundations broad and deep, and doing every thing calculated to improve the public mind. Who reduced a mass of rude characters into letters which we now call our alphabet? Who but Catholics who thus gave a language to Europe by establishing its basis. Nay more, after that, who introduced that most important branch of civilization—agriculture? It was the Monks, by whose industry and labor the reclaimed wastes became the "model farms" of Europe, and from them agriculture spread.

We hear much of free government and of Parliaments, but was that a Protestant invention? No, it was a Catholic invention; for it was copied from the Catholic Church. The first models of representative government, and of dignified and noble parliaments, were the councils of the Catholic Church, in which every part of that church had its representative. Thence, then, the idea was borrowed, which has been the pride and boast of England and of this country after her, of representative government. But I might speak also of navigation. Who discovered the continent on which we now live. Was it not a Catholic? Who made the second voyage to this continent, and stamped his name upon it? Was it not a Catholic? Americus Vespusius. Who made the first voyage round the globe? Was it not a Catholic? And Catholics were the first to visit both the East and the West Indies; they traversed seas to carry the knowledge of Jesus Christ to the ignorant, and they then became acquainted with the physical position of different countries, and they conveyed that knowledge to the world either in letters or other documents, and added a mass of human knowledge, which had assumed a gigantic size before Protestantism first sprang out of the earth. And while things of a less beneficial tendency were going on in other parts of the globe, Catholic Missionaries, 200 years ago, penetrated this country and continued a chain round from Quebec to the Mississippi. While persecution was going on in the North and the South, with which Catholics had nothing to do, their free banner waved over Maryland, where the rights of conscience were recognized. They went to the Indians, not to destroy but to convert, to save, and to civilize. And if we turn our eyes from these things to others, we shall see those things which are calculated to reflect honor on those who effected their accomplishment. When we see the alleviation of the infirmities of human life, we naturally ask ourselves to whom the world was indebted for the act of mercy. Who planned the structures and laid the foundations of these hospitals for the afflicted, and asylums for the decrepit, the aged, and the young and exposed infant? Were they not all introduced and established by the benevolent spirits and the enlightened minds of the Catholics of antiquity? Turn your minds to other structures, and then ask who laid the foundations of the universities? Who originated the idea? Who aided their establishment? It was Catholics alone, and if you blot out the benevolent institutions with which the earth is still studded, for which the world is indebted to Catholics, you will find but few insignificant ones remaining. If you turn again from these things to the men distinguished by their own intellect—to warriors, and legislators—to men distinguished by their eloquence, by their scientific attainments, in

jurisprudence, or in other stations in public life, where do you find models worthier of imitation than those by whom the pages of Catholic history are adorned. Passing again from these to the ornaments of ancient literature, of classic Greece and Rome, and while desolation and barbarism passed over Europe with their trains of evils, who, by patient, persevering industry, gathered up the fragments of ancient literature to adorn the human mind? It was done by the labor, or of the calumniated monks. Yes, you may turn your eyes on whatever side you please, and you will find that Catholics have nothing of which to be ashamed. You will find no reason for the suppression of all these things with which Catholics can charge themselves, but you will find in every department if you take away the volumes Catholics have written, and the mighty libraries they have collected, your shelves will present a barren appearance. Why, we have the testimony of eminent Protestant scholars themselves, attesting the fact that one single order alone—the order of Benedictines—did more than all the Protestants together. In every species of knowledge—in history, jurisprudence, and canonical and civil law—in a word, in every thing appertaining to human knowledge, it was found that the great predominance was due to Catholic labor and Catholic success; and why then do we not find one page to adorn these school books from authors like these. Again, where are there poets like Catholic poets? Take from England the works of Catholic writers—take away her Chaucer, and Spenser, and Shakespeare, and Dryden, and Pope, and you take away the cream of English literature. Then if you turn your minds from these things to others not so immediately essential to the cultivation, but to the adornment of human life—take the study of the mathematics—and who was the first to cultivate that study in the West of Europe? Who invented, and arranged, and introduced that science but the Monk Jerbert, afterwards Pope Sylvester II—the same who introduced the first celestial globes. Then again in architecture and its application to the construction of bridges, which at one period of European history could not be constructed without calling in the aid of some learned man from a distant country, who was usually some humble Monk who knew how to throw the daring arch, to span the river, or to cross the otherwise impassable valley. Take away from England even the architectural structures left by Catholics, and what will remain? Scarcely anything. Oxford would disappear, and the greater part of Cambridge, and nothing would be left but St. Paul's, of which Lord Kingsbury said, after seeing St. Peter's, it was scarcely fit for anything but to be blown up by gunpowder. If we turn from these things to inventions, we may ask, who invented the art of printing? A Catholic. Who originated that by which information was sent round through every village and hamlet—the post-office? A Catholic. Who invented the clock to tell what time of day it is? A Catholic. Who invented the compass to guide the mariner across the trackless ocean? A Catholic. What is it that Catholics have not done? And if this is the history of this people, why is it that these teachers despise them, and why is it that not a line from Catholic authors is permitted in their books? And they pretended to be all impartiality and to possess feelings of the most liberal and philanthropic character. But turn away from this again to another thing. There are afflictions resting on the children of scrofula, some of whom are deprived of sight, and the sunbeam fails to the earth in vain for them. Now it was a work of benevolence to discover eyes for these children of sorrow, and to place them at the end of their fingers—or in other words to enable them, by running their fingers over raised characters, to read with rapidity; and it is to a Catholic that the invention is to be attributed. Again there is another class, the deaf and dumb, who can neither hear nor speak. Now happily for them, there is an invention, which emanated from a benevolent heart, by which they can communicate thought, and for this they are indebted to a Catholic priest. The language for the deaf and dumb, was the invention of the Abby Fonza, a Benedictine of Spain.

Now if these gentlemen of the Public Schools will place Catholics under a dark cloud, I see no reason why we should not penetrate that cloud, and cause some part of the rays of our former glory to return to us. It was then again the Abby L'Epee, who on visiting two sisters thus afflicted, as a man of God, was himself afflicted that he could not communicate to them the Christian religion. He began to move by signs, and continued to improve on his attempt, until at length he acquired the means of communicating with the deaf and dumb with ease and rapidity.

Who was the founder of Sunday Schools? It was Saint Charles Borromeo—a Catholic. In a word there is no department of knowledge in which Catholics have not been distinguished. But to go further, who discovered a quicker means of communication than the railroad? It is not used so extensively in this country as in some others, but it may be important even here, if an invasion should be made of any part of our coast, to communicate information to Washington and receive an answer back in less time than it could be done by railroads; he would deserve a prize who should invent the means

of sending information from Niagara to Washington will receive an answer back in six or seven hours. And yet the equivalent of this has been done by a Catholic priest who invented the telegraph. If we turn to music, who has brought it to its present state by the perfection of instrumental music? Who has taught the canvas to speak? And who has given life and animation to the cold marble? Catholics. And all the boasted superiority of Protestants is yet an infinite distance from the productions of Catholics, and they are proud to distract if they succeed in producing a tolerable copy of that which Catholics have invented. I have thus endeavored to claim for Catholics that to which they are confessedly entitled. The gentlemen of the public schools have not treated us fairly or honorably, when they have thought proper to fill their pages for the instruction of our children, from Flume and Robertson, and other Protestant writers who were all opposed to the Catholics, and have not given one sentence from Catholic authors."

## PETITION.

### TO THE HONORABLE THE BOARD OF ALDERMEN OF THE CITY OF NEW YORK.

*The Petition of the Catholics of New York Respectfully Represents:*

That your Petitioners yield to no class in their performance of, and disposition to perform, all the duties of citizens. They bear, and are willing to bear their portion of every common burthen; and feel themselves entitled to a participation in every common benefit.

This participation, they regret to say, has been denied them for years back, in reference to Common School Education in the city of New York, except on conditions with which their conscience, and, as they believe, their duty to God, did not, and does not leave them at liberty to comply.

The rights of conscience in this country, are held by both the constitution and universal consent, to be sacred and inviolable. No stronger evidence of this need be adduced than the fact, that one class of citizens are exempted from the duty or obligation of defending their country against any invading foe, out of delicacy and deference to the rights of conscience which forbids them to take up arms for any purpose.

Your Petitioners only claim the benefit of this principle, in regard to the public education of their children. They regard the public education which the State has provided as a common benefit, in which they are most desirous, and feel that that they are entitled to participate; and therefore they pray your Honorable Body that they may be permitted to do so, without violating their conscience.

But your Petitioners do not ask that this prayer be granted, without assigning their reasons for preferring it.

In ordinary cases men are not required to assign the motives of conscientious scruples in matters of this kind. But your Petitioners are aware that a large, wealthy, and concentrated influence is directed against their claim by the corporation called the Public School Society. And that this influence, acting on a public opinion already but too much predisposed to judge unfavorably of the claims of your Petitioners, requires to be met by facts which justify them in thus appealing to your Honorable Body, and which may at the same time, convey a more correct impression to the public mind. Your Petitioners adopt this course the more willingly, because the justice, and impartiality which distinguish the decisions of public men in this country, inspire them with the confidence that your Honorable Body will maintain, in their regard, the principle of the rights of conscience if it can be done without violating the rights of others, and on no other condition is the claim solicited.

It is not deemed necessary to trouble your Honorable Body with a detail of the circumstances by which the monopoly of the public education of children in the city of New York, and of the funds provided for that purpose, at the expense of the State, have passed into the hands of a private corporation, styled in its act of charter, "The Public School Society of the City of New York." It is composed of men of different sects or denominations. But that denomination Friends, which is believed to have the controlling influence, both by its numbers and otherwise, holds as a peculiar *sectarian principle*, that any formal or official teaching of religion is, at best unprofitable. And your Petitioners have discovered that such of their children as have attended the Public Schools, are generally and at an early age, imbued with the same principle—that they become untractable, disobedient, and even contemptuous towards their parents—unwilling to learn any thing of religion—as if they had become illuminated, and could receive all the knowledge of religion necessary for them, by instinct or inspiration. Your Petitioners do not pretend to assign the cause of this change in their children, they only attest the fact as resulting from their attendance at the Public Schools of the Public School Society.

This Society, however, is composed of gentlemen of various sects including even one or two Catholics. But they profess to exclude all Sectarianism from their schools. If they do not exclude sectarianism, they are avowedly no more entitled to the School Funds than your Petitioners, or any other denomination of professing Christians. If they do as they profess, exclude sectarianism, then your Petitioners contend that they exclude Christianity, and leave to the advantage of infidelity, the tendencies which are given to the minds of youth by the influence of this feature and pretension of their system. If they could accomplish what they profess, other denominations would join your petitioners in remonstrating against their schools. But they do not accomplish it. Your Petitioners will show your Honorable Body that they do admit what Catholics call sectarianism, (although others may call it only religion) in a great variety of ways.

In their 22d Report, as far back as the year 1837, they tell us, page 14, that they "are aware of the importance of early religious instruction," and that none but what is "exclusively general and scriptural in its character, should be introduced into the schools, under their charge." Here, then, is their own testimony that they did introduce and authorise "religious instruction" in their schools. And that they solved, with the utmost composure, the difficult question on which the sects disagree by determining what kind of "religious instruction" is "exclusively general and scriptural in its character."

Neither could they impart this "early religious instruction" themselves. They must have left it to their teachers, and these armed with official influence, could impress those "early religious instructions" on the susceptible minds of the children, with the authority of dictators.

The Public School Society, in their report for the year 1832, page 10, describe the effects of these "early religious instructions," without perhaps intending to do so, but yet precisely as your Petitioners have witnessed it, in such of their children as attended those schools. "The age at which children are usually sent to school, affords much better opportunity to mould their minds to peculiar and exclusive forms of faith, than any subsequent period of life." In page 11 of the same report, they protest against the injustice of supporting "religion in any shape" by public money, as if the early religious instruction which they themselves authorized in their schools, five years before, was not "religion in some shape," and was not supported by public taxation. They tell us again in more guarded language, "The trustees are deeply impressed with the importance of imbuing the youthful mind with religious impressions, and they have endeavored to attain this object, as far as the nature of the institution will admit." Report of 1837, page 7.

In their 33d Annual Report, they tell us that "they would not be understood as regarding religious impressions, in early youth as unimportant. On the contrary, they desire to do all which may with propriety be done to give a right direction to the minds of the children entrusted to their care. Their schools are uniformly opened with the reading of the scriptures, and the class books are such as recognise and enforce the great, and generally acknowledged principles of Christianity." Page 7.

In their 34th annual report for the year 1839, they pay a high compliment to a deceased teacher, for the "moral and religious influence exerted by her, over the three hundred girls, daily attending her school," and tell us that "it could not but have a lasting effect on many of their susceptible minds." Page 7. And yet in all these "early religious institutions—religious impressions, and religious influence," essentially anti-Catholic, your Petitioners are to see nothing sectarian—but if in giving the education which the State requires, they were to bring the same influences to bear on the "susceptible minds of their own children, in favor, and not against their own religion, then this society contends that it would be sectarian!"

Your Petitioners regret there is no means of ascertaining to what extent the teachers in the schools of the Society carried out the views of their principals, on the importance of conveying "early religious instructions" to the susceptible minds of the children. But they believe it is in their power to prove that in some instances, the scriptures have been explained, as well as read to the pupils.

Even the reading of the scriptures in those schools, your Petitioners cannot regard otherwise than as sectarian; because Protestants would certainly consider as such the intention of the Catholic scriptures, which are different from theirs—and the Catholics have the same ground to object, when the Protestant version is made use of. Your Petitioners have to state further, as grounds of their conscientious objections to those schools, that many of the selections in their elementary reading lessons contain matter prejudicial to the Catholic name and character. The term "Popery" is repeatedly found in them. This term is known and employed as one of insult and contempt towards the Catholic religion, and it passes into the mind of children with the feeling of which it is the outward expression. Both the historical and religious portions of the reading lessons are selected from Protestant writers, whose prejudices against the Catholic religion render them unworthy of confidence in the mind

of your Petitioners, as least so far as their own children are concerned.

The Public School Society have heretofore denied that their books contained any thing reasonably objectionable to Catholics. Proofs of the contrary could be multiplied, but it is unnecessary, as they have recently retracted their denial, and discovered, after fifteen years enjoyment of their monopoly, that their books do contain objectionable passages. But they allege that they have proffered repeatedly to make such corrections as the Catholic clergy might require. Your Petitioners conceive that such a proposal could not be carried into effect by the Public School Society, without giving just grounds for exceptions to other denominations. Neither can they see with what consistency that society can insist as it has done, on the perpetuation of its monopoly, when the Trustees thus avow their incompetency to present unexceptionable books, without the aid of the Catholic or any other clergy. They allege, indeed, that with the best intentions, they have been unable to ascertain the passages which might be offensive to Catholics. With their intentions, your Petitioners cannot enter into any question. Nevertheless, they submit to your Honorable Body that this Society is eminently incompetent for the superintendence of public education, if they could not see that the following passages was unfit for the Public Schools, and especially unfit to be placed in the hands of Catholic children.

They will quote the passage as one instance, taken from Putnam's Sequel, page 296.

"Huss John, a zealous reformer from Popery, who lived in Bohemia towards the close of the fourteenth, and the beginning of the fifteenth centuries. He was bold and persevering; but at length trusting to the *deceitful Catholics*, he was by them brought to trial, condemned as heretic, and burnt at the stake."

The Public School Society may be excused for not knowing the historical inaccuracies of this passage; but surely assistance of the Catholic clergy could not have been necessary to an understanding of the word "deceitful," as applied to all who profess the religion of your Petitioners.

For these reasons, and others of the same kind, your Petitioners cannot in conscience, and conscientiously with their sense of duty to God, and to their offspring, entrust the Public School Society with the office of giving "a right direction to the minds of their children." And yet this Society claims that office, and claims for the discharge of it, the Common School funds to which your Petitioners, in common with other citizens are contributors. In so far as they are contributors, they are not only deprived of any benefit in return, but their money is employed to the damage and detriment of their religion, on the minds of their own children, and of the rising generation of the community at large. The contest is between the *guaranteed* rights, civil and religious of the citizen on the one hand, and the pretensions of the Public School Society on the other; and whilst it has been silently going on for years, your Petitioners would call the attention of your Honorable Body, to its consequences on the class for whom the benefits of public education are most essential—the children of the poor.

This class, (your Petitioners speak only so far as relates to their own denomination) after a brief experience of the schools of the Public School Society, naturally and deservedly withdraw all confidence from it. Hence the establishment by your Petitioners of schools for the education of the poor.

The expense necessary for this, was a second taxation, required not by the laws of the land, but the no less imperious demands of their conscience.

They were reduced to the alternative of seeing their children growing up in entire ignorance, or else taxing themselves anew for private schools, whilst the funds provided for education, and contributed in part by themselves, were given over to the Public School Society, and by them employed as has been stated above.

Now your Petitioners respectfully submit, that without this confidence, no body of men can discharge the duties of education as imposed by the State and required by the people. The Public School Society are, and have been at all times, conscious that they had not the confidence of the poor. In their 25th Report, they appeal to the ladies of New York to create or procure it by the "persuasive eloquence of female kindness," page 5; and from this they pass on to the next page, to the more efficient eloquence of coercion under penalties and privations, to be visited on all persons, "whether emigrant or otherwise," who being in the circumstances of poverty referred to, should not send their children to some "public or other daily school."

In their 27th Report, pages 13 and 16, they plead for the doctrine, and recommend it to public favor, by the circumstances that it will effect but "few natives."—But why should it be necessary at all, if they possessed that confidence of the poor, without which they need never hope to succeed. So well are they convinced of this, that no longer ago than last year, they gave up all hope of inspiring it, and loudly call for coercion by "the strong arm of the civil power" to sup-

ply its deficiency. Your Petitioners will close this part of their statement with the expression of their surprise, and regret that gentlemen who are themselves indebted much to the respect which is properly cherished for the rights of conscience, should be so unmindful of the same rights in the case of your Petitioners. Many of them are by religious principle, so pacific they would not take up arms in the defence of the liberties of their country, though she should call them to her aid: and yet they do not hesitate to invoke the "strong arm of the civil power" for the purpose of abridging the private liberties of their fellow citizens, who may feel equally conscientious.

Your Petitioners have to deplore, as a consequence of this state of things, the ignorance and vice to which hundreds, nay thousands of their children are exposed. They have to regret, also, that the education which they can provide, under the disadvantages to which they have been subjected, is not as efficient as it should be. But should your Honorable Body be pleased to designate their schools as entitled to realise a just proportion of the Public Funds which belong to your Petitioners in common with other citizens, their schools could be improved for those who attend; others now growing up in ignorance could be received, and the ends of the Legislature could be accomplished; a result which is manifestly hopeless under the present system.

Your Petitioners will now invite the attention of Your Honorable Body to the objections and misrepresentations that have been urged by the Public School Society, to granting the claim of your Petitioners. It is urged by them that it would be appropriating money raised by general taxation to the support of the Catholic Religion. Your Petitioners join issue with them, and declare unhesitatingly, that if this objection can be established, the claim shall be forthwith abandoned. It is objected that though we are taxed as citizens, we apply for the benefits of education as "Catholics." Your Petitioners, to remove this difficulty, beg to be considered in their application in the identical capacity in which they are taxed, viz., as citizens of the commonwealth. It has been contended by the Public School Society that the law disqualifies schools which admit any profession of religion, from receiving any encouragements from the School Fund.—Your Petitioners have two solutions for this pretended difficulty. 1. Your Petitioners are unable to discover any such disqualification in the law, which merely delegates to your Honorable Body the authority and discretion of determining what schools or societies shall be entitled to its bounty. 2. Your Petitioners are willing to fulfil the conditions of the law as far as religious teaching is prescribed, during school hours. In fine, your Petitioners, to remove all objection, are willing that the material organization of their schools, and the disbursements of the funds allowed for them, should be conducted and made by persons unconnected with the religion of your Petitioners, even the Public School Society, if it should please your Honorable Body to appoint them for that purpose. The public may then be assured that the money will not be applied to the support of the Catholic religion.

It is deemed necessary by your Petitioners to save the Public School Society the necessity of future misconception, thus to state the things which are not petitioned for. The members of that Society who have shown themselves so impressed with the importance of conveying their notions of "early religious instruction" to the "susceptible minds" of Catholic children, can have no objection that the parents of the children, and teachers in whom the parents have confidence, should do the same, provided no law is violated thereby, and no disposition evinced to bring the children of other denominations within its influence.

Your Petitioners, therefore, pray that your Honorable Body will be pleased to designate as among the schools entitled to participate in the Common School Fund, upon complying with the requirements of the law and the ordinances of the Corporation of the City, or for such other relief as to your Honorable Body shall seem meet—St. Patrick's school, St. Peter's school, St. Mary's school, St. Joseph's school, St. James' school, St. Nicholas' school, Transfiguration church school, and St. John's school.

And your Petitioners further request, in the event of your Honorable Body's determining to hear your Petitioners, on the subject of their Petition, that such time may be appointed as may be most agreeable to your Honorable Body, and that a full session of your Honorable Board be convened for that purpose.

And your Petitioners, &c.

THOMAS O'CONNOR, Chairman.

GREGORY DILLON,

ANDREW CARRIGAN, } Vice Chairmen,

PETER DUFFY,

Of a general meeting of the Catholics of the city of New York, convened in the school-room of St. James' Church, first of September, 1840.

B. O'CONNOR, J. KELLY, J. McLAUGHLIN, Secretaries.

## REMONSTRANCES

OF THE TRUSTEES OF THE PUBLIC SCHOOL SOCIETY,  
AND THE METHODIST EPISCOPAL CHURCH, READ AND  
COMMENTED ON IN THE FOLLOWING DEBATE.

*To the Hon. the Board of Aldermen  
of the City of New York:*

THE Memorial and Remonstrance of the Trustees of the Public School Society of New York, respectfully represents:

That your memorialists learn that a petition from the Roman Catholics of this city is now before your honorable body, in which they again ask for a portion of the school money in aid of the schools under their charge. After the late unanimous decision of one branch of the Municipal Government, in which the other was supposed tacitly to unite, adverse to several petitions of the same kind from Religious Societies, it is unexpected to your remonstrants, to be so soon placed in a position which, in their opinion, renders it necessary to oppose the application of a large and influential body of their fellow citizens. But until the confidence which has been so long reposed in them by the city government and the public generally, is withdrawn, they feel it to be an imperious, though an unpleasant duty, to remonstrate against what they deem a dangerous application of funds raised for the promotion of common and general education.

The subject has, however, been so fully elucidated and ably argued, in documents now among the public records, that your remonstrants cannot hope to shed any additional light upon it. They therefore beg leave to refer your honorable body to Document No. 80, of the late Board of Assistant Aldermen, as containing the reasons on which your remonstrants would rely, in opposing the applications of religious societies for a portion of the school fund. It is believed that no decision of the city government ever met with a more general and cordial response in the public mind. And as the Roman Catholics very recently issued an address to the people of this city and state, urging at large their reasons for a separate appropriation of school money, to which your remonstrants have replied, they now present copies of said Documents, which they respectfully submit to your honorable body, as containing matter relevant to the question under consideration.

The petition of the Roman Catholics now pending presents, nevertheless, some points which your remonstrants feel called upon to notice.

By a misapprehension of the Law in relation to persons who are conscientiously opposed to bearing arms, which is applicable to persons of every religious persuasion, they attempt to adduce an argument in favor of the prayer of their petition, and say, that they only claim the benefit of the same principle in regard to the education of their children. Now the facts are, that the law imposes a fine, or tax as an equivalent for personal military service, and in the event of there being no property on which to levy, subjects such persons to imprisonment, and numbers are every year actually confined in the jails of this State.

With the religious opinions of the denomination of christians referred to, your remonstrants have nothing to do. In opposing the claims of the Roman Catholic, and several other churches, to the school money, they have confined their remarks to the broad general grounds, alike applicable to all; but the petitioners have seen fit to single out a religious society by name, and intimate or indirectly assert, not only that their peculiar religious views lead to insubordination and contempt of parental authority, but that the Trustees of the Public Schools, who are of this denomination, by reason of their numbers or the "controlling influence" they exert, have introduced the "same principle" into the public schools, and that their effects are manifested in the conduct of the Catholic children who have attended them. Your remonstrants feel bound, therefore, in reply, to state that of the one hundred citizens who compose the Board of Trustees, there are only twelve of the denomination thus traduced, and of these six or seven accepted the situation by solicitation of the Board, for the purpose of superintending the management of the colored schools, to which object they have almost exclusively confined themselves--of the motive that induced this extraordinary portion of the petition, your remonstrants will not trust themselves to speak--of so much of it as conveys an idea that the Trustees who are of this religious persuasion, introduce or attempt to introduce into the public schools their own peculiar opinions, they can only say that no one of the numerous and serious charges brought against your remonstrants by the petitioners, is more entirely destitute of foundation in fact. If a disposition existed in any quarter to give a sectarian bias to the minds of the children, it will readily be seen, that the most successful method would be through the selection of teachers.

In one of the Documents now submitted to your honorable body, it is stated that in appointing teachers, no regard is had by the Trustees to the religious profession of the candidates, and that six or seven of the present number are Roman Catholics. From an enquiry now made it is found that only two of the teachers belong to the Society of "Friends".

It will thus be seen that the charge made in the petition of the Roman Catholics, that such of their children as have attended the public schools are generally, and at an early age, imbued with a principle, which they impute to a portion of the Trustees, falls to the ground, and is proved to be as unfounded, as it is illiberal and ungenerous.

It is with regret that your remonstrants find themselves under the painful necessity of saying, that the petition of the Catholics contains garbled extracts and detached portions of some parts of their annual reports in relation to religious instruction, and so arranged and commented upon, as to convey a meaning directly opposite to the one intended and clearly expressed in the original documents.

The same means are resorted to in quoting the language of the Trustees when urging the importance of using measures for inducing the poor to have their children educated. On different occasions, your remonstrants have suggested to the Common Council, the expediency of requiring, by legal enactment, the attendance at some "public or other daily school," of the numerous "vagrant children who roam about our streets and wharves, begging and pilfering," and this is tortured in the Catholic petition into a desire of "abridging the private liberties of their fellow citizens," and an acknowledgement, on the part of the Trustees, "that they had not the confidence of the poor."

The records of the schools will demonstrate that the industrious and respectable portions of the laboring classes repose entire confidence in the public school system and its managers.

The subject of objectionable matter in the books used in the public schools, is so fully discussed in the papers now submitted to your honorable body, that little more would seem to be called for under this head. Finding their strenuous and long-continued efforts to induce the Catholic clergy to unite in an expurgation of the books unavailing, the Trustees commenced the work without them, and it is now nearly completed. If any thing remains to which the petitioners can take exception, no censure can, by possibility, attach to your remonstrants; and the Trustees assert with confidence, that if any has escaped them, there is now less matter objectionable to the Roman Catholics, to be found in the books used in the public schools than in those of any other seminary of learning, either public or private, within this State.

In conclusion, your remonstrants would remark, that they have not thought it expedient, on this occasion to enter into a detailed defence of their conduct, as regards all of the charges preferred by the Roman Catholics. Those charges are before your honorable body, and the Trustees will cheerfully submit to any inquiry that you may see fit to institute in relation to them; and even if it can be shown that your remonstrants are as "eminently incompetent to the superintendence of public education" as the petition of the Roman Catholics intimates, it would not, they respectfully suggest, furnish any apology for breaking down one of the most important bulwarks of the civil and religious liberties of the American people.

Should your honorable body decide to hear the petitioners before the collected Board, your remonstrants respectfully ask to be heard on the same occasion in reply.

New York, October 3d, 1840.

ROBERT C. CORNELL, President.

A. P. HALSEY, Secretary.

*To the Hon. the Common Council  
of the City of New York:*

THE undersigned Committee, appointed by the Pastors of the Methodist Episcopal Church in this city, on the part of said Pastors and Churches, do most respectfully represent:

That they have heard with surprise and alarm, that the Roman Catholics have renewed their application to the Common Council, for an appropriation from the Common School Fund, for the support of the schools under their own direction; in which they teach, and propose still to teach, their own sectarian dogmas: not only to their own children, but to such Protestant children, as they may find means to get into these schools.

Your memorialists had hoped that the clear, cogent and unanswerable arguments, by which the former application for this purpose was resisted, would have saved the Common Council from further impurity.

It was clearly shown, that the Council could not legally make any sectarian appropriation of the public funds; and it was as clearly shown, that it would be utterly destructive of the whole scheme of

public school instruction to do so, even if it could be legally done. But it seems that neither the Constitution of the State, nor the public welfare, are to be regarded, when they stand in the way of Roman Catholic sectarianism and exclusiveness.

It must be manifest to the Common Council, that if the Roman Catholic claims are granted, all the other Christian denominations will urge their claims for a similar appropriation; and that the money raised for education by a general tax, will be solely applied to the purposes of proselytism, through the medium of sectarian schools. But if this were done, would it be the price of peace? or would it not throw the apple of discord into the whole Christian community, should we agree in the division of the spoils? Would each sect be satisfied with the portion allotted to it? We venture to say that the sturdy claimants who now beset the Council, would not be satisfied with much less than the lion's share; and we are sure that there are other Protestant denominations beside ourselves, who would not patiently submit to the exaction. But when all the Christian sects shall be satisfied with their individual share of the public fund, what is to become of those children whose parents belong to none of these sects, and who cannot conscientiously allow them to be educated in the peculiar dogmas of any one of them? The different committees who, on a former occasion approached your honorable body, have shown, that to provide schools for these only, would require little less than is now expended; and it requires little arithmetic to show that when the religious sects have taken all, nothing will remain for those who have not yet been able to decide which of the Christian denominations to prefer. It must be plain to every impartial observer, that the applicants are opposed to the whole system of public school instruction; and it will be found that the uncharitable exclusiveness of their creed must ever be opposed to all public instruction, which is not under the direction of their own priesthood. They may be conscientious in all this; but though it be no new claim on their part, we cannot yet allow them to guide and control the consciences of all the rest of the community. We are sorry that the reading of the Bible in the public schools, without note or commentary, is offensive to them; but we cannot allow the holy Scriptures to be accompanied with their notes and commentaries, and to be put into the hands of the children, who may hereafter be the rulers and legislators of our beloved country; because, among other bad things taught in these commentaries, is to be found the lawfulness of murdering heretics, and the unqualified submission in all matters of conscience to the Roman Catholic Church.

But if the principle on which this application is based should be admitted, it must be carried far beyond the present purpose.

If all are to be released from taxation when they cannot conscientiously derive any benefit from the disbursement of the money collected, what will be done for the Society of Friends, and other sects who are opposed to war, under all circumstances. Many of these, besides the tax paid on all foreign goods thus consumed, pay direct duties at the Custom House, which go to the payment of the army and to purchase the munitions of war. And even when the government finds it necessary to lay direct war taxes, these conscientious sects are compelled to pay their proportion on the ground that the public defence requires it. So, it is believed, the public interest requires the education of the whole rising generation; because it would be unsafe to commit the public liberty, and the perpetuation of our republican institutions to those whose ignorance of their nature and value, would render them careless of their preservation, or the easy dupes of artful innovators; and hence every citizen is required to contribute in proportion to his means to the public purpose of universal education.

The Roman Catholics complain that books have been introduced into the public schools, which are injurious to them as a body. It is allowed, however, that the passages in these books, to which such reference is made are chiefly, if not entirely, historical; and we put it to the candor of the Common Council to say whether any history

of Europe, for the last ten centuries, could be written, which could either omit to mention the Roman Catholic Church, or mention it without recording historical facts unfavorable to that Church? We assert that if all the historical facts in which the Church of Rome has taken a prominent part could be taken from writers of her own communion only, the incidents might be made more objectionable to the complainants, than any book to which they now object.

History itself, then must be falsified for their accommodation; and yet they complain that the system of education adopted in the public schools does not teach the sinfulness of lying! They complain that no religion is taught in these schools, and declare that any, even the worst form of Christianity, would be better than none: and yet they object to the reading of the Holy Scriptures, which are the only foundation of all true religion. Is it not plain, then, that they will not be satisfied with any thing short of the total abandonment of public school instruction, or the appropriation of such portion of the public fund as they may claim, to their own sectarian purposes.

But this is not all. They have been most complaisantly offered the censorship of the books to be used in the public schools. The committee to whom has been confided the management of these schools in this city, offered to allow the Roman Catholic Bishop to expurgate from these books any thing offensive to him.

But the offer was not accepted; perhaps for the same reason that he declined to decide on the admissibility of a book of extracts from the Bible, which had been sanctioned by certain Bishops in Ireland. An appeal, it seems, had gone to the Pope on the subject, and nothing could be said or done in the matter until his Holiness had decided. The Common Council of New York will therefore find, that when they shall have conceded to the Roman Catholics of this city the selection of books for the use of the public schools, that these books must undergo the censorship of a foreign Potentate. We hope the time is far distant when the citizens of this country will allow any foreign power to dictate to them in matters relating to either general or municipal law.

We cannot conclude this memorial without noticing one other ground on which the Roman Catholics, in their late appeal to their fellow citizens, urged their sectarian claims, and excused their conscientious objections to the public schools. Their creed is dear to them, it seems, because some of their ancestors have been martyrs to their faith. This was an unfortunate allusion. Did not the Roman Catholics know that they addressed many of their fellow citizens who could not recur to the memories of their own ancestors without being reminded of the revocation of the Edict of Nantz, the massacre of St. Bartholomew's day, the fires of Smithfield, or the crusade against the Waldenses? We would willingly cover these scenes with the mantle of charity, and hope that our Roman Catholic fellow citizens will in future avoid whatever has a tendency to revive the painful remembrance.

Your memorialists had hoped that the intolerance and exclusiveness which had characterized the Roman Catholic Church in Europe, had been greatly softened under the benign influences of our civil institutions. The pertinacity with which their sectarian interests are now urged, has dissipated the illusion. We were content with their having excluded us, "ex cathedra," from all claim to heaven, for we were sure they did not possess the keys, notwithstanding their confident pretension; nor did we complain that they would not allow us any participation in the benefits of purgatory, for it is a place they have made for themselves, and of which they may claim the exclusive property; but we do protest against any appropriation of the public school fund for their exclusive benefit, or for any other purposes whatever.

Assured that the Common Council will do what it is right to do in the premises, we are, gentlemen, with great respect,

Your most obedient servants,

N. BANGS,  
THOMAS E. BOND,  
GEORGE PECK.

# DE BATE

ON THE

## CLAIM OF THE CATHOLICS TO A PORTION OF THE COMMON SCHOOL FUND.

ON Thursday, the 29th October, the Board of Aldermen met in special session, for the purpose of hearing the arguments of the Catholics in favor of their claim to a separate portion of the Common School Fund, and the School Society, and the Societies of the Methodist Episcopal Church in opposition. The Board of Assistant Aldermen was present, by invitation of the Board of Aldermen, to hear the discussion. The deep interest which was felt in the question by the community generally was exhibited by the dense crowd which filled the spacious halls long before the doors of the Council Chamber were thrown open, and by the anxious solicitude which was manifested to hear the debate. Some time elapsed before the Aldermen and the gentlemen who were to take part in the proceedings could obtain a passage through the mass of human beings that struggled for admission, even with the aid of a body of police officers, and great numbers of individuals were ultimately unable to gain admission.

When the Board became organized, and some points of form had been determined, it was agreed to hear the parties in the order in which their petitions or remonstrances had been received by the Council—viz. first the Catholics, then the Public School Society, and lastly the Societies of the Methodist Episcopal Church, which were respectively represented by the following Committees and Counsel:—The CATHOLICS, by the Right Rev. Bishop HUGHES, the very Rev. Dr. POWER, THOMAS O'CONNOR, Esq., FRANCIS COOPER, Esq., Dr. HUGH SWEENEY, JAMES M'KEON, Esq., and JAMES KELLY Esq.; the SCHOOL SOCIETY, by THEODORE SEDGEWICK, Esq., and HIRAM KETCHUM, Esq.; the METHODIST EPISCOPAL CHURCHES, by the Revs. Dr. BANGS, DR. BOND, and GEORGE PECK.

Before entering on the discussion the reading of the petition of the Catholics and the remonstrances from the other Societies here represented, was called for by the Alderman of the Sixteenth Ward, and they were read accordingly by Mr. JOHN PAULDING, the Reader to the Board.

The Right Rev. Bishop HUGHES then rose to address the Board in behalf of the Catholics, and spoke as follows:

### GENTLEMEN OF THE BOARD OF ALDERMEN:—

Unaccustomed as I am to address a body of gentlemen such as I see here before me, I may not always be correct in the manner of my address; I hope, therefore, that any mistakes of mine may be imputed by this Honorable Board, to my inexperience. I would also, on the threshold of the subject observe, that in no part of the discussion on this question, so far as it has gone, am I conscious of having imputed to any gentleman who is opposed to the claim in which I have so deep an interest, any motive or design of a sinister character. I am sorry, therefore, that the Public School Society should have been pleased to refer to the language of our document as though imputation had thereby been cast upon their motives. I am sure if they again review our documents they will not find one solitary instance of any imputation dishonorable to them personally as gentlemen. We speak of their system apart from themselves; and we speak of it with that freedom which it is the right of American citizens to speak of the public actions and public proceedings of public men; but again will I repeat, that in no instance to my knowledge has there been imputed to those gentlemen one solitary motive, one single purpose, unworthy of their high standing and their respectable character. They have alleged, in some of their documents, that we charge them with teaching infidelity; but we have not done so. We charge it as the result of their system, not that they are actively engaged in teaching infidelity; and not only do we not say this, but we interpose the declaration, that we do not believe such to be their intention. Yet, after this, they ascribe to themselves these imputations, and they cap their salvo by saying, that even the authors of the address shrink from a picture of their own coloring—a picture which they not only charge that we have drawn of them, but also of all other classes and denominations of our fellow-citizens. Now, I venture to repeat, that in no instance have we imputed to them motives which can reflect on them as honorable men. I make these observations in the commencement, simply to show how much has been written of the petitioners on assumptions which have no foundation on anything that has been written or said by us. I know well the Public School Society is an institution highly popular in the city of New-York; but I should be

sorry to suppose that those gentlemen would permit themselves to interpose that popularity between them and the JUSTICE which we contend for when we seek that to which we believe we have a legal right. At the same time it is proper for me, at the commencement, to clear away another objection which an attempt has been made, in both the remonstrances that have been read, to oppose to the exceedingly simple principle for which we contend. The attempt has been made, (and you will perceive the whole document, which issued as a Report from the Board of Assistant Aldermen, as well as the remonstrances of the Public School Society, and the Methodist Episcopal Church, is based on the same false assumption,) to assume false premises in this matter, which are, that we want this money for the promotion of the ecclesiastical interests of our Church. Now, if these Societies wish to enter their remonstrances against our petition they should first read the language in which we have urged our claim, and if they had, they would have saved themselves the trouble, in my opinion, of reasoning on arguments which are but figments of their own creation and no proposition of ours. Have not we distinctly stated not only what we want, but, to guard them against accusing us of what we do not want, have we not said that we do not want the public money to promote ecclesiastical interests, for, to this money, for such a purpose, we have no right. And, also, have we not further stated, that if it can be shown that we want the money for this purpose, that we will abandon our claim—that if it can be shown that we want it for sectarian interests we will relinquish it altogether. We have said in the first place—

“Your petitioners will now invite the attention of your Honorable Body to the objections and misrepresentations that have been urged by the Public School Society to granting the claim of your petitioners. It is urged by them that it would be appropriating money raised by general taxation to the support of the Catholic religion. Your petitioners join issue with them, and declare unhesitatingly, that if this objection can be established the claim shall be forthwith abandoned. It is objected that though we are taxed as citizens, we apply for the benefits of education as ‘Catholics.’ Your petitioners, to remove this difficulty, beg to be considered in their application in the identical capacity in which they are taxed—viz., as citizens of the commonwealth. It has been contended by the Public School Society, that the law disqualifies schools which admit any profession of religion from receiving any encroachments from the school fund. Your petitioners have two solutions for this pretended difficulty. First, Your petitioners are unable to discover any such disqualification in law, which merely delegates to your Honorable Body the authority and discretion of determining what schools or societies shall be entitled to its bounty. Secondly, Your petitioners are willing to fulfil the conditions of the law so far as religious teaching is proscribed during school hours. In fine your petitioners, to remove all objections, are willing that the material organization of their schools, and the disbursements of the funds allowed for them, shall be conducted, and made, by persons unconnected with the religion of your petitioners, even the Public School Society, if it should please your Honorable Body to appoint them for that purpose. The public may then be assured that the money will not be applied to the support of the Catholic religion.

It is deemed necessary by your petitioners to save the Public School Society the necessity of future misconception, thus to state the things which are *not* petitioned for.”

Yet, notwithstanding this clear and simple language, you perceive both the remonstrances, of the School Society and the Episcopal Methodists, go on this false issue, that we want this money for sectarian and illegal purposes! Our language could not be plainer than it was on this point, and yet there has been uncharitableness enough in these Societies to assert the contrary. I have deemed it necessary to make this explanation at the commencement to impress your minds, gentlemen, with what it is we seek and what it is we seek not, because I know a deal may be done towards a proper elucidation of this subject by pre-

serving its simplicity. The remonstrants warn you, gentlemen, against giving money for sectarian purposes. We join them in that admonition. We contend that we look in honesty and simplicity alone for the benefits of education; and as members of the commonwealth and as Catholics we seek but that which we believe to be just, and legal, and right.

I shall now, gentlemen, review very briefly both the documents, because they submit to your Honorable Body the grounds on which that claim, which we believe to be just, is opposed. After the introduction of that from the Public School Society, we find in the second paragraph the following passages:—

“The subject has, however, been so fully elucidated and ably argued, in documents now among the public records, that your remonstrants cannot hope to shed any additional light upon it. They therefore beg leave to refer your honorable body to Document No. 80, of the Board of Assistant Aldermen, as containing the reasons on which your remonstrants would rely, in opposing the applications of religious societies for a portion of the school fund. It is believed that no decision of the City Government ever met with a more general and cordial response in the public mind.”

Yes it may well be so believed, for the reason that that whole document went on a *false issue*, and therefore it was thus believed. But if I prove, as I shall, that the premises had no foundation in reality then the arguments founded thereon must fall to the ground, for they were but castles in the air. It proceeds:—

“As the Roman Catholics very recently issued an address to the people of this city and state, urging at large their reasons for a separate appropriation of school money, to which your remonstrants have replied, they now present copies of said Documents, which they respectfully submit to your honorable body, as containing matter relevant to the question under consideration.

“The petition of the Roman Catholics now pending presents, nevertheless, some points which your remonstrants feel called upon to notice. . . .

“By a misapprehension of the Law in relation to persons who are conscientiously opposed to bearing arms, which is applicable to persons of every religious persuasion, they attempt to adduce an argument in favor of the prayer of their petition, and say, that they only claim the benefit of the same principle in regard to the education of their children. Now the facts are, that the law imposes a fine, or tax as an equivalent for personal military services, and in the event of there being no property on which to levy, subjects such persons to imprisonment, and numbers are every year actually confined in the gaols of this State.”

Now I conceive the illustration there referred to was a strong one. The parents and guardians of tender offspring have a right connected with their nature by God himself in his wise Providence, and they should be shown a strong reason for transferring it to others. And I adduced it as an illustration and as a strong one—why? Because the defence of the country is a thing connected with self-existence and preservation; and yet, s3 tender is the genius of this happy country, of the rights of conscience it dispensed with all those who had religious scruples from a compliance with the law and changed it into a small fine, whereby the right was shown, and also the disposition to waive it.

“With the religious opinions of the denomination of Christians referred to, your remonstrants have nothing to do. In opposing the claims of the Roman Catholic, and several other Churches, to the school money, they have confined their remarks to broad general grounds alike applicable to all; but the petitioners have seen fit to single out a religious society by name, and intimate or indirectly assert, not only that their peculiar religious views lead to insubordination and contempt of parental authority, but that the trustees of the Public Schools, who are of this denomination by their numbers or the ‘controlling influence’ they exert, have introduced the ‘same principle’ into the public schools, and that their effects are manifested in the conduct of the Catholic children who have attended them.”

Now I am exceedingly surprised that those gentlemen should go so far from the text to draw reproach upon themselves. We said nothing to authorize this language. We

simply stated the fact; we mentioned the circumstance of the controlling influence of those holding peculiar sectarian views; but we did not draw the conclusion whether the insubordination of the children of our poor people was the result of the principles taught in the schools or of a want of domestic influence. And yet these gentlemen have gone on to draw upon themselves an imputation of which we respectfully disclaim the authorship. They proceed:

"Your remonstrants feel bound, therefore, in reply, to state, that of the one hundred citizens who compose the board of trustees, there are only twelve of the denomination thus traduced,—

Now to this charge of traducing we beg to demur.

—“and of these six or seven accepted the situation by solicitation of the Board, for the purpose of superintending the management of the colored schools, to which object they have almost exclusively confined themselves.”

Now I should be one of the last to detract from the merits of this denomination. Some of them I have known personally, and others by their history, and my opinion has always been of them that they are among the foremost in every benevolent act and social virtue, and to lend their arm to strengthen the weak and the oppressed; and therefore it is no reproach to them that they take the lead in this work of benevolence for which I give them credit.

They go on to say:

“Of the motives that induced this extraordinary portion of the petition, your remonstrants will not trust themselves to speak;—

It might be recollect'd, gentlemen, if there were a leaning that way it was after the publication of the “Reply” to our “Address,” which, though it has the name, is no reply to our arguments. It is not an answer; but in it they take the occasion to sneer at us, as I shall soon have occasion to show; yet I may here observe that it would have been better if they had addressed themselves to the principles of eternal justice on which we rest.

“Of so much of it,” they add “as conveys an idea, that the trustees who are of this religious persuasion, introduce or attempt to introduce into the public schools their own peculiar opinions—

We never charged that they did.

—“they can only say that no one of the numerous and serious charges brought against your remonstrants by the petitioners, is more entirely destitute of foundation in fact. If a disposition existed in any quarter to give a sectarian bias to the minds of the children, it will readily be seen, that the most successful method would be through the selection of teachers.”

Why there was no necessity for this vindication at all.

“In one of the documents now submitted to your Honorable Body, it is stated, that in appointing teachers, no regard is had by the trustees to the religious profession of the candidates, and that six or seven of the present number are Roman Catholics.”

I have seen this statement figure in almost every document of that society, and yet I have not been able to find “six or seven of the present number who are Roman Catholics;” and I doubt if they can be found, except they are such Roman Catholics as we see our children become after they have been in these public schools; that is Catholics who have no feelings in common with their church—Catholics who are ashamed of the name, because in the school books and from the teachers they hear of its professors only as “Papists,” and of the religion itself only as “Popery.” It is such as these, I fear, that pass as Catholics. I only know of one who is worthy of the name.

“From an inquiry now made it is found that only two of the teachers belong to the society of ‘Friends.’”

And I don't suppose that better teachers could be obtained anywhere, when confined within the limits prescribed; except they have the privilege to introduce religious instruction. And without that it matters but little whether they are of the society of Friends or not. They continue:

“It is with regret that your remonstrants find themselves under the painful necessity, of saying, that the petition of the Catholics contains garbled extracts and detached portions of some parts of their annual reports in relation to religious instruction, and so arranged

and commented upon, as to convey a meaning directly opposite to the one intended and clearly expressed in the original documents.”

Now I will allow the reading of it and if there are any garbled extracts there I will be the first to correct it. But I am surprised when we quote the words of their documents that they should urge this charge. Let the documents be read. I have no dread on this subject.

“The same means are resorted to in quoting the language of the trustees when urging the importance of using measures, for inducing the poor to have their children educated. On different occasions, your remonstrants have suggested to the Common Council, the expediency of requiring, by legal enactment, the attendance at, some public or other daily school,<sup>7</sup> of the numerous vagrant children who roam about our streets and wharves, beggar and pilfering,<sup>8</sup> and this is tortured in the Catholic petition into a desire of ‘abridging the private liberties of their fellow-citizens,’ and an acknowledgment, on the part of the trustees, ‘that they had not the confidence of the poor.’

Yet I should think, gentlemen, such a reluctance to attend their schools as to make it necessary to apply for a legal enactment to procure first the money and then to compel an attendance, would show that they did want that confidence. I know they have not the confidence of our body. Yes, they have obtained two enactments from the Common Council depriving the parents in time of need—even when cold and starvation have set in upon them—of public relief unless the children were sent to these or some other schools. And I have seen them urging ladies in their public documents, to obtain their confidence by soothing words; and I have seen them urging employers to make it the condition of employment. Yet after all this they pretend that they have had the confidence of the poor. I do not say that they have not merited it according to *their* views; but I do not think they should expect all mankind to submit to their views of the matter, to the sacrifice of their own.

They say:

“The records of the schools will demonstrate that the industrious and respectable portions of the laboring classes repose entire confidence in the public school system and its managers.”

Then that portion in behalf of whom I stand here is not to be classed with “the industrious and respectable!”

They then proceed to another point:

The subject of objectionable matter in the books used in the public schools, is so fully discussed in the papers now submitted to your honorable body, that little more would seem to be called for under this head. Finding their strenuous and long-continued efforts to induce the Catholic clergy to unite in an expurgation of the books unavailing, the trustees commenced the work without them, and it is now nearly completed. If any thing remains, to which the petitioners can take exception, no ensure can, by possibility, attach to your remonstrants; and the trustees assert with confidence, that if any has escaped them, there is now less matter objectionable to the Roman Catholics, to be found in the books used in the public schools, than in those of any other seminary of learning, either public or private, within this State.”

Now they could not adopt a worse test, for I defy you to find a reading book in either public or private seminary, that in respect to Catholics is not full of ignorance. Not a book. For if it were clear of this it would not be popular; and if they refer to this then, they refer to a standaid which we repudiate. But it must be remembered those people can send their children to those schools or keep them at home. They are not TAXED for their support. But here we are. It is the public money which is here used to preserve the black blots which have been attempted to be fixed on the Catholic name. They say again, (and it is an idea that will go exceedingly well with the public at large, for it will show how amiable and conciliating are these gentlemen)—that they have submitted the books to us as though we have nothing to do but to mark out a passage and it will disappear. But are we to take the odium of erasing passages which they hold to be true? Have they the right to make such an offer? And if we spend the necessary time in reviewing

the books to discover passages to be expurgated, have they given us a pledge that they will do it, or that they will not even then keep them in. Have they given us a pledge that they will do it as far as their denomination is concerned? And, then, after all the loss of time which it would require to review these books, they can either remove the objectionable passages, or preserve them as they see fit. An individual cannot answer for a whole body. They may make a fine offer which may be calculated to impose on the public, but if we put the question if they are able and if they are willing, I should like to know whether they can, and will, pass a law to show us that they are sincere and that the object can be carried out? That would alter the case; for we may correct one passage to-day, and another next week; and then another body may come into power, and we may have to petition again and again. Could they then do it if they would. And should they if they could?

They add:

"In conclusion, your remonstrants would remark, that they have not thought it expedient, on this occasion to enter into a detailed defense of their conduct, as regards all of the charges preferred by the Roman Catholics. Those charges are before your honorable body, and the trustees will cheerfully submit to any inquiry that you may see fit to institute in relation to them; and even if it can be shown that your remonstrants are as 'eminently incompetent, to the superintendence of public education' as the petition of the Roman Catholics intimates, it would not, they respectfully suggest, furnish any apology for breaking down, one of the most important bulwarks of the civil and religious liberties of the American people."

This much then as regards this document, which it will be perceived goes on the false assumption that we want this money for a sectarian purpose, because it was so referred to in the report of the Committee of the Board of Assistant Aldermen, which denied our claim; for when I come to that it will be found that every proposition in it goes on the assumption that we wish this money for religious purposes. If we did it would be just to deny it to us. But I will now take up another document, and I regret that I cannot treat it with the respect I would otherwise wish to do. The document from the Public School Society, however it might have been led aside, and however feeble in its reasoning, contained nothing I trust and believe which was intended to be disrespectful to us. It was couched in language at which I cannot take offence; though it was weak in its principles, its reasoning was decent. I cannot say as much for this which is from

"The undersigned committee, appointed by the pastors of the Methodist Episcopal Church in this city."

They commence by observing,

"That they have heard with surprise and alarm"—

They should have seen our petition instead of taking "hearsay" for their authority.

"that the Roman Catholics have renewed their application to the Common Council for an appropriation from the Common School Fund, for the support of the schools under their own direction, in which they teach, and propose still to teach, their own sectarian dogmas."

Where did they find that? Where did they find that statement? I should like to know from the gentlemen who signed this remonstrance where they have their authority for such an assertion? We disclaim it in the petition against which they remonstrate. It shows then how much trust can be placed in "hearsay," when they should and might have examined the petition against which they remonstrate, in which they can find no such thing.

"In which they teach, and propose still to teach, their own sectarian dogmas: not only to their own children, but to such Protestant children, as they may find means to get into these schools."

I ask these gentlemen again what authority they have for such an assertion? I should like to see the argument which gives them their authority to use language and to make a statement so palpably false as this is.

"Your memorialists had hoped that the clear, cogent, and unanswerable arguments, by which the former application for this purpose was resisted, would have saved the Common Council from further importunity."

We shall see whether the arguments were so clear, cogent and unanswerable by and bye.

"It was clearly shown, that the Council could not legally make any sectarian appropriation of the public funds; and it was clearly shown, that it would be utterly destructive of the whole scheme of public school instruction to do so, even if it could be legally done. But it seems that neither the constitution of the State, nor the public welfare, are to be regarded, when they stand in the way of Roman Catholic sectarianism and exclusiveness."

There is an inference for you; and a very unfounded one it is too.

"It must be manifest to the Common Council, that if the Roman Catholic claims are granted, all the other christian denominations will urge their claims for a similar appropriation."

And I say they have the right to do it. I wish they would do it, for I believe it would be better for the future character of the city, and for its fame, when this generation shall have passed away. If they did claim it and the claim was granted, then an effort would be made to raise good and pious and honest men.

"and that the money raised for education by a general tax, will be solely applied to the purposes of proselytism, through the medium of sectarian schools. But if this were done, would it be the price of peace? or would it not throw the apple of discord into the whole Christian community? Should we agree in the division of the spoils?"

I am exceedingly sorry that the gentlemen who drew up the remonstrance had not more confidence in the power of their own religious principle than to suppose that it would be necessary to contend violently for what they call the "spoils." We have submitted to be deprived of them for years and we have not manifested such a disposition; and I am surprised that they who understand so much of the power of religion should attach so much value to the little money which is to be distributed as to suppose that it would set Christians—professing Christians—together by the ears in its distribution.

"Should we agree in the division of the spoils? Would each sect be satisfied with the portion allotted to it? We venture to say, that the sturdy claimants who now beset the Council, would not be satisfied with much less than the lion's share; and we are sure that there are other Protestant denominations, besides ourselves, who would not patiently submit to the exaction."

After what they have said by authority as the grounds of their opposition, where, instead, they should have had history for their guide, I am not surprised that they should prophesy in the matter. I too may prophesy, and I will say that the "sturdy claimants" are as respectable as they are, and I trust it will never be attributable to us that we claim more than is our common right, and if that should be violated with respect to the Methodist Episcopal denomination, we shall be far from the ranks of those who may be the violators.

"But when all the Christian sects shall be satisfied with their individual share of the public fund, what is to become of those children whose parents belong to none of these sects, and who cannot conscientiously allow them to be educated in the peculiar dogmas of any one of them? The different committees who, on a former occasion approached your honorable body, have shown, that to provide schools for these only, would require little less than is now expended; and it requires little arithmetic to show that when the religious sects have taken all, nothing will remain for those who have not yet been able to decide, which of the Christian denominations to prefer. It must be plain to every impartial observer, that the applicants are opposed to the whole system of public school instruction."

Have we said so? And on what authority have these gentlemen the right to say it if we have not? Where are their data? And yet they come before this honorable body and make such assertions with the sanction of their whole Church!

"And it will be found, that the uncharitable exclusiveness of their creed, must ever be opposed to all public institution, which is not

under the direction of their own priesthood. They may be conscientious in all this; but though it be no new claim on their part, we cannot yet allow them to guide and control the consciences of all the rest of the community."

Why, it would be a silly and absurd thing on our part to look for it. But we never thought of it. It is a fiction of these gentlemen's own creation. I contend we ask nothing for the community but for ourselves, and I trust it will be granted if it is right, and if we can be shown that it is not right we will abandon it cheerfully. But their assertion is wholly destitute of foundation.

"We are sorry that the reading of the Bible, in the public schools, without note or commentary, is offensive to them; but we cannot allow the holy Scriptures to be accompanied with *their* notes and commentaries—

Have we asked such a thing? or in any way solicited it?

—“and to be put into the hands of the children, who may hereafter be the rulers and legislators of our beloved country; because among other bad things taught in these commentaries is to be found the lawfulness of murdering heretics; and the unqualified submission in all matters of conscience to the Roman Catholic Church.”

I have a feeling of respect for many of their denomination but not for the head or the heart of those who drew this document up. Here it states an unqualified falsehood. Here it puts forth a false proposition, and that proposition has been introduced here as a slander. I can prove that it is so. And depending on the confidence here reposed in me, I propose and pledge myself to forfeit a thousand dollars, to be appropriated in charities as this council may direct, if those gentlemen can prove the truth of this allegation; provided they agree to the same forfeiture to be appropriated in a similar manner, if they fail to establish its truth. If they can prove that the Catholic Church sanctions, or has made it lawful, to murder heretics, I will forfeit that sum. I feel indignant that we should be met, when we come with a plain, and reasonable, and honest request to submit to the proper authorities, with slanders such as that, and that in the name of religion which is holy. I wish them to hear what I say. I know very well their books tell them so; but they should look at the original and not at secondary authorities when they assail our reputation and our rights.

“But if the principle on which this application is based should be admitted, it must be carried far beyond the present purpose. If all are to be released from taxation when they cannot conscientiously derive any benefit from the disbursement of the money collected, what will be done for the Society of Friends, and other sects who are opposed to war under all circumstances?”

With that I have nothing to do and therefore I will pass on to another point.

“The Roman Catholics complain that books have been introduced into the public schools, which are injurious to them as a body. It is allowed, however, that the passages in these books, to which such reference is made, are chiefly, if not entirely, historical; and we put it to the candor of the Common Council to say whether any history of Europe, for the last ten centuries, could be written, which could either omit to mention the Roman Catholic Church, or mention it without recording historical facts unfavorable to that church?”

And this is what the remonstrants call a strong issue. They assert that no history could be written which could either omit to mention the Roman Catholic Church, or mention it without recording historical facts unfavorable to the Catholic Church. If this be the case I ask you whether as citizens entitled to the rights of citizens, we are to be compelled to send our children to schools which cannot teach our children history without blackening us. But again they say,

“We assert that if all the historical facts in which the Church of Rome has taken a prominent part could be taken from writers of her own communion only, the incidents might be made, more objectionable to the complainants, than any book to which they now object.”

No doubt of it; and it only proves that Catholic histori-

ans have no interest to conceal what is the truth. But I contend that there are pages in Catholic history brighter than any in the history of Methodism; and that there are questions and passages enough for reading lessons, without selecting such as will lead the mind of the Catholic child to be ashamed of his ancestors. The Methodist Episcopal Church is a respectable church, and I am willing to treat it with becoming respect; but it is a young church; it is not so old as the Catholic Church and therefore has fewer crimes; but I contend again it has fewer virtues to boast of. And in its career of a hundred years it has done as little for mankind as any other denomination.

“History itself, then, must be falsified for their accommodation; and yet they complain that the system of education adopted in the public schools does not teach the sinfulness of lying!

We shall come to that presently.

“They complain that no religion is taught in these schools, and declare that any, even the worst form of Christianity, would be better than none; and yet they object to the reading of the Holy Scriptures, which are the only foundation of all true religion. Is it not plain, then, that they will not be satisfied with any thing short of the total abandonment of public school instruction, or the appropriation of such portion of the public fund as they may claim, to their own sectarian purposes?”

All the time they go on the false issue. They charge that which we disclaim, and they reason on a charge of their own invention, and which we never authorized. Now as I have a word to say about the Holy Scriptures, I may as well say it at this, as at any other time. Their assumption is that because the Scriptures are read, sufficient precaution is taken against infidelity. But I do not agree with them in that opinion, and I will give my reason. What is the reason that there is such a diversity of sects all claiming the Holy Scriptures as the centre from which they draw their respective contradictory systems? that book which appears out of school by the use made of it, to be the source of all dissension, when it does not come to the minds of children with such authority as to fix on their minds any definite principles. As regards us, while the Protestants say theirs is the true version we say it is not so. We treat the Scriptures reverently, but the Protestant version of the Scriptures is not a complete copy, and as it has been altered and changed, we do not look upon it as giving the whole writings which were given by the inspiration of the Holy Spirit. We object not to the Holy Scriptures, but to the Protestant version without note or comment. We think it too much to ask Protestants to relinquish theirs and take ours for the use of the public schools. If we could ask you—if we could propose that you should take our book—if we should ask you to put out the Protestant Scriptures and take ours, with our note and comment, do you think Protestants would agree to it? Do you not think we should be arraigned as enemies of the word of God—for that is one charge made when it is sought to denounce us. When we speak language of this kind, instead of understanding us according to our comprehension of the subject, they charge that we are enemies to the Holy Scriptures. But to object to their version is not to object to the Holy Scriptures; and I am prepared to show them that no denomination has done so much in the true sense for the Scriptures as the Catholic Church.

The remonstrants add:

“But this is not all. They have been most complaisantly offered the censorship of the books to be used in the public schools. The committee to whom has been confided the management of these schools in this city, offered to allow the Roman Catholic Bishop to expurgate from these books any thing offensive to him.”

And now they go out of their way to sneer at us, and you will observe the flippancy with which they do it.

“But the offer was not accepted; perhaps, for the same reason

that he declined to decide on the admissibility of a book of extracts from the Bible, which had been sanctioned by certain Roman Bishops in Ireland. An appeal, it seems, had gone to the Pope on the subject, and nothing could be said or done in the matter until his Holiness had decided. The Common Council of New York will therefore find, that when they shall have conceded to the Roman Catholics of this city the selection of books for the use of the public schools, that these books must undergo the censorship of a foreign Potentate. We hope the time is far distant when the citizens of this country will allow any foreign power to dictate to them in matters relating to either general or municipal law."

Prophets again; but not prophets of charity. I, sir, say not prophets of good-will, for there is something more in their souls than the public welfare. There is something in their insinuation that is insulting, and a tone which does not show a mind enlightened and enlarged, and an appreciation of equal justice and equal rights. Just their way. They hear that an appeal has gone to the Pope; and if we desired to appeal, also, we should claim the right to do it without asking permission from any one. Catholics all over the world do it when their consciences make it a duty, but not in matters of this kind. "These books must undergo the censorship of a foreign Potentate!" Now we regard him only as supreme in our *Church*, and there's an end of it.

"We cannot conclude this memorial without noticing one other ground on which the Roman Catholics, in their late appeal to their fellow citizens, urged their sectarian claims, and excused their conscientious objections to the public schools. Their creed is dear to them, it seems, because some of their ancestors have been martyrs to their faith. This was an unfortunate allusion."

Some! "Some of their ancestors have been martyrs to their faith." I speak of the Catholics of Great Britain and Ireland, and when you reflect on the bigotted and unjust laws which Great Britain founded against all that were Catholics, by which their churches were wrested from them, and a bribe was offered as an inducement to the double crime of murder and of perjury, when it authorized any man to bring the head of a Catholic to the commissioner, and if he would only swear it was the head of a priest he got the same price as for the head of a wolf; no matter whose head it was—and when legislation of that kind continued for centuries, this you must agree with me, was being martyrs indeed. But when have the Methodists shown a sympathy for those contending for the rights of conscience? When the Dissenters of England claimed to be released from the operation of the "Test and Corporation" act by which they were excluded from civil office, did the Methodist Episcopal Church assist them? Not a solitary petition went from them for the enlargement of their freedom. And is it a wonder that we look to conscience and admire those who had the firmness to suffer for conscience sake? By the penal laws against Catholics the doors of Parliament were closed against us, if we had a conscience, for it required us to take an oath which we did not believe to be true, and therefore we could not swear it. There it is, sir; it is because we have a conscience, because we respect it, that we have suffered, and while virtue is admired on earth, the fidelity of the people that are found standing by the right of conscience will command the admiration of the world. And yet, we are told, it was an unfortunate allusion!

"Did not the Roman Catholics know, that they addressed many of their fellow citizens who could not recur to the memoirs of their ancestors without being reminded of the revocation of the Edict of Nantz?"—

They had nothing to do with it.

"the massacre of St. Bartholomew's day, the fires of Smithfield"—

What is that to us? Are we the people that took part in that?

—"or the crusade against the Waldenses? We would willingly cover these scenes with the mantle of charity"—

They had better not make the attempt, for their mantle is too narrow.

"and hope that our Roman Catholic fellow citizens will in future avoid whatever has a tendency to revive the painful remembrance."

Let them enter upon that chapter and discuss the charitableness of their religion, and I am prepared to prove—I speak it with confidence in the presence of this honorable assembly—that the Catholic religion is more charitable to those that depart from her pale, than any other that ever was yoked in unholy alliance with civil power.

"Your memorials had hoped that the intolerance and exclusiveness which had characterized the Roman Catholic Church in Europe, had been greatly softened under the benign influences of our civil institutions. The pertinacity with which their sectarian interests are now urged, has dissipated the illusion."

Sectarian interests, again, although we have disclaimed them.

"We were content with their having excluded us, 'ex cathedra,' from all claim to heaven, for we were sure they did not possess the keys, notwithstanding their confident pretensions;"

Why they need not be uneasy about our excluding them from heaven, for their opinion is that they have no chance to enter if they have any thing to do with us; and therefore our excluding them is of no avail.

—"nor did we complain they would not allow us any participation in the benefits of purgatory"—

Pray what has that to do with Common School Education?

"for it is a place they have made for themselves, and of which they may claim the exclusive property;"

Well it is no matter whether we believe in purgatory or not; it is no matter for the Common Council to decide.—But if they are not satisfied with our purgatory, and wish to go farther, they may prove the truth of the proverb which says "they may go farther and fare worse."

"but we do protest against any appropriation of the public school fund for their exclusive benefit, or for any other purposes whatever.—Assured that the Common Council will do what it is right to do in the premises, we are, gentlemen, with great respect, your most obedient servants,

N. BANGS,  
THOMAS E. BOND.  
GEORGE PECK."

And now I have gone through these two remonstrances, both of which, it will be seen, refer to the document of the Board of Assistant Aldermen, and rest their opposition on the same ground. Of that document, I will pass over the introduction, but I may observe that its authors, by what influence I am unable to say, have been made to rest their report upon an issue such as I have already described, and for which our petition furnishes no basis. I will first call your attention to the following observations:—

"The Petitioners who appeared, also contended that they contributed, in common with all other citizens who were taxed for the purpose, to the accumulation of the Common School Fund, and that they were therefore entitled to a participation in its advantages; that now they receive no benefit from the fund, inasmuch as the members of the Catholic Churches could not conscientiously send their children to schools in which the religious doctrines of their fathers were exposed to ridicule or censure. The truth and justice of the first branch of this proposition—

That is, the payment of taxes.

—"cannot be questioned. The correctness of the latter part of the argument, so far as the same relates to books or exercises of any kind in the Public Schools, reflecting on the Catholic Church was DENIED by the School Society."

Now it is to be remembered that this denial, of anything objectionable in the books of the Public School Society was made at the period of the last application. I am persuaded those gentlemen, if they had known there was anything objectionable to the Catholics, would not have denied it.

I am sure they believed there was nothing, and from this circumstance I think I may fairly draw this inference, that they had not paid that attention to the books which they should have done, knowing the variety of denominations

contributing to this fund and entitled to its benefits; or knowing this and the feelings and principles of Catholics, that they were incompetent for the proper discharge of their responsible duties. It is only on one of these two grounds that I can account for their *denial*. But since that time they have not only admitted that the objection was correct, but they have expunged passages from the books which at the time of this denial they said did not exist. I shall pass on now to the two questions on which the decision of the Committee was made to rest. The first is,

"Have the Common Council of this city, under the existing laws relative to Common Schools in the city of New-York, a legal right to appropriate any portion of the School Fund to religious corporations?"

Whether they have or not one thing is clear and certain, that it is not as a "Religious Corporation" that we apply for it; and it seems to me that this should have struck the attention of the Public School Society, and the other gentlemen who have remonstrated. We do not apply as a religious body—we apply in the identical capacity in which we are taxed—as citizens of the commonwealth, without an encroachment on principle or the violation of any man's conscience. But, secondly, they ask—

"Would the exercise of such power be in accordance with the spirit of the Constitution, and the nature of our government?"

Certainly not. If the Constitution and government have determined that no religious denomination shall receive any civil privilege the exercise of such power will not be in conformity with the spirit of the Constitution and the nature of our government. But there is throughout and in all these documents a squeamishness, a false delicacy, a persuasion that everything which excludes religion abroad is right and liberal. It would be unnecessary for me to follow this report-sentence by sentence if there had not been so much reliance placed on it by those who have remonstrated; but as so much consequence has been attached to it I will call your attention to some other passages. They go on to say:

"Private associations and religious corporations were excluded from the management of the fund and the government of the schools. Private interest, under this system, could not appropriate the public treasure to private purposes, and religious zeal could not divert it to the purposes of proselytism."

Why there is nothing of the kind intended. We have been driven by the obligation of our consciences and at our expense, which we are poorly able to bear, to provide schools, but they are not convenient, they are not well ventilated, and are not well calculated to give that development to your young citizens which they ought to have; why argue, then, against religious corporations, and, in treating this question, bring prejudices into view which ought to have no existence in reality? They then go on to give the history and origin of the present law and of the Public School Fund, and it seems that for a period of time, and a long period, the legislature designated the schools which might participate in this bounty. Each religious denomination provided for the instruction of its own poor; they had provided schools, and their exertions were honorable and laudable. The legislature granted its aid, and the respective societies were encouraged to go on with the good work, and they did go on year after year, and then there was never heard that disputation which appears now to be so much dreaded. There was not then heard dissension between neighbors, or strife between societies; everything went on peacefully, and why? Because the schools and the citizens were not then charged that religion was a *forbidden* subject. Nor should you now make it a forbidden part of education, because on religious principle alone can conscience find a resting-place. It should be made known

that here conscience is supreme—that here all men are free to choose the views which their judgments, with a sense of their responsibility, to an eternal weal or woe, shall offer for their adoption. It should be taught that here neighbors have the right to differ, and whatever is the right of one must be recognized as the right of the other; and the distribution of this fund will be better calculated to benefit the community than it can be by these Public Schools where every thing seems to be at par except religion, and that is below par at an immense discount. They tell us then that—

"The law was imperative in its character, and the several Religious Societies of the city possessed a legal right to draw their respective portions of the Fund from the public treasury, subject only to the restriction, that the money so received should be appropriated to the purposes of free and common education."

But that "*right to draw*" has been taken away; yet there is nothing in the act by which the right to draw is taken away which forbids their receiving it still, if in the judgment of this honorable body the circumstances of the case entitle them to it. It is not an impeachment—the legislature had no intention to reflect on religious bodies—it had no intention to black-ball religion in the public schools; and yet that view has been taken of it. Such was not the case; but because circumstances had arisen; and what were they? Why gross abuses had been practiced by one of the religious Societies, and—

"The funds received by the Church were applied to other purposes than those contemplated by the act."

Under some pretext the favor to expend the school monies had been conferred on that society in a way that distinguished it from all other Christian denominations and societies; and the other seeing this privilege conferred on one and not on the rest, ventured to remonstrate with the legislature; they intimated that the partiality to that Society of Baptists was an injustice to others, and they remonstrated against the law conferring exclusive privileges and against no other thing whatever. And yet by every document, and by this very document, it seems to be imagined that the legislature did not revoke special favors granted to that Society, but withdrew its aid from all Christian Churches; so that all the men who remonstrated against this partial legislation were found to have been themselves deprived of the privilege which they had enjoyed, and this on the strength of their own remonstrances for quite another thing. And the discretion which the legislature had exercised to designate the schools which should receive this fund was transferred to this honorable body, the Council of the city of New-York. And why was it transferred? I cannot speak positively, but while it seems to me that there were abuses shown to exist by the remonstrants, of which they made complaint, we may suppose the legislature conceived it difficult for them to take cognizance of the matter, not being on the spot, but that the Common Council being here, and being a body chosen by the people in which, consequently the public would have confidence, was the best and most fitting body to designate from time to time the institutions or schools which should be entitled to receive those school monies. This must have been their intention, and yet this has been interpreted as repealing the law in order to deprive those denominations of a legal right (for right they had, and they could come and demand the money) and not a mere transfer of the discretion to give this money from the legislature, to the Common Council of New-York. Now all this, which is so plain and simple has been construed by these gentlemen of the Public School Society as what? As conferring a monopoly upon them. As a law disqualifying all religious denominations receiving it. So it has been interpreted. But if it were so, we ask not for the money on the ground that we are a religious

corporation, but of public utility, for the purpose of giving an education to a large and destitute class which otherwise will not have the means to procure it. We ask it to secure a public advantage, and if the objections a nywhere exist to which I have directed your attention, they do not apply to our case. Gentlemen, I think it unnecessary to detain you any longer on this subject as referred to in this document, because while the question is composed of one simple fact, they are arguing against dangers which do not threaten them. But then they go on to say,

"To prevent in our day and country, the recurrence of scenes so abhorrent to every principle of justice, humanity, and right, the Constitution of the United States, and of the several States, have declared in some form or other, that there should be no establishment of religion by law; that the affairs of the State should be kept entirely distinct from, and unconnected with those of the Church; that every human being should worship God, according to the dictates of his own conscience; that all churches and religions should be supported by voluntary contribution; and that no tax should ever be imposed for the benefit of any denomination of religion, for any cause, or under any pretence whatever."

All this is doctrine to which we subscribe most heartily. And while we seek to be relieved from the evils under which we suffer, we do not seek relief to the detriment of any other sect. What! is this country independent of religion? Is it a country of Atheism, or of an Established Religion? Neither the one nor the other; but a country which makes no law for religion, but places the right of conscience above all other authority—granting equality to all, protection to all, preference to none. And while all these documents have gone on the presumption of preference, all we want is that we may be entitled to *protection* and not preference. We want that the public money shall not be employed to sap religion in the minds of our children—that they may have the advantages of education without the intermixture of religious views with their common knowledge which goes to destroy that which we believe to be the true religion. Their is another feature connected with this subject—which is the definition given of a public school such as should be entitled to this money. "If the school money" say these gentlemen—and I must believe they are imposed on by a statement which is not correct. I believe if they had known the true statement, they would not have published in their report such a statement as this:

"If the School money should be divided among the religious denominations generally, as some have proposed, there will be nothing left for the support of schools of a purely civil character; and if there should be, in such a state of things, any citizen who could not, according to his opinions of right and wrong, conscientiously send his child to the school of an existing sect, there would be no public school in which he could be educated. This might, and probably would be the case with hundreds of our citizens."

Now let me for a moment invite your attention to that part of the subject which I have now the honor to submit to you; and it is that part on which all these documents go, that religious teaching would vitiate all claim to a participation in this public fund. A common education then, as understood by the State, is a secular education, and these documents contend that any religious teaching, no matter how slight, will vitiate all claim to a participation in this fund. Now the Public School Society in their reports, have from time to time stated themselves, and, observe, with a consciousness that the jealous eye of the community is upon them—they state, still under this restriction, that they have imparted religion. Now if this doctrine be correct, they are no more entitled to the Common School Fund than others? Or is the doctrine correct, and yet one must abide by it and not another? Again, these gentlemen charge us with accusing them of teaching infidelity, when taking this tax they give that education, which, they state to us when we apply

for a portion of this money, the State contemplates to give the scholar—that is, an education without religion. Now if the child be brought up without religion what is he, if not an infidel? "Oh" they say, "we do not teach it." Is it necessary to teach infidelity? It does not require the *active* process. To make an infidel what is it necessary to do? Cage him up in a room, give him a secular education from the age of five years to twenty-one, and I ask you what he will come out, if not an infidel? Whether he will know anything about God? And yet they tell you that religious teaching is a disqualification. What will a child be then if you give him their education from his youth up to the age of twenty-one? Will he know anything of God, and of a Divine Redeemer? of a Trinity, of the incarnation of the Saviour, and the redemption of the world by the atonement of Christ, or of any of those grand doctrines which are the basis and corner stone of our Christianity? And because we object to a system of teaching which leads to practical infidelity, we are accused of charging the Public School Society with being infidels. They furnish the basis of the charge; we do not wish to do so. Now I ask you whether it was the intention of the Legislature of New York, or of the people of the State, that the public schools should be made precisely such as the infidels want? Permit me to say when I use the term infidel, I mean no disrespect to those that are so. I would not be one; but I respect their right to be what they please. A few days ago a gentleman who professes to be one of this class, and who would not allow his children to be scholars where religion is taught at all, said he could send them to the public school, for there the education suited him. What then is the consequence? That while the public education of New York is guarded in such a manner, as to suit the infidel, the children become so. And is there any authority in this Board, or of a legislative body at Albany, or is there any Board in the Union, with power by the constitution, to exclude religion or to engraft it? Neither the one nor the other. The infidel says truly that there is no religion taught, and therefore he can send his children; and I should like to know why any member of a christian church should be forced to do violence to his convictions and not be permitted to enjoy equal advantages? If the infidel can send his children to these schools because no religion is taught there, and who therefore has to make no sacrifices of conscience, why cannot the christian enjoy equal advantages? They say their instruction is not sectarianism; but it is; and of what kind? The sectarianism of infidelity in its every feature. But because it is of a negative kind, and they do not admit the doctrines of any particular denomination—because they do not profess to teach religion, therefore it is suited for all! As a test therefore of this principle, give this purely secular knowledge to a young man, keep him from intercourse with the rest of the world, give him nothing else, and what sort of a man would he be? What would be the state of his mind? A blank—a perfect blank as to religious impressions. But I contend that it is infidelity, and I hope the Public School gentlemen hear what I say. But again, I do not charge it on their intention, and their assertion is purely gratuitous when they say that such an accusation is made against them. Here is the observation of the report on this subject:

"If religious instruction is communicated, it is FOREIGN to the intentions of the school system, and should be *instantly abandoned*.—Religious instruction is no part of a common school education."

Such then is the nature of that report which, I take leave to repeat, has been prepared by the gentlemen who drew it up as a committee, under the impression fixed on their minds that Catholics want this money to promote their religion, and that if it were granted to us others would wan-

it for their respective religions also; and on this assumption they decided; but against this false issue I protest, whether set forth in this report or in the two remonstrances before this Council—one from the Public School Society, and the other from the Methodist Episcopal Church. It is not my business to speak in relation to the Public School Society at large. Of its history I have taken pains to make myself sufficiently possessed to speak; and I find that in its origin, so far from disclaiming all connection with religion, so far from conceiving religious teaching disadvantageous, it was originally incorporated for the purpose of supplying the wants of the destitute portion of the population, and their petition for a charter set forth

"the benefits which would result to society from the education of such children, by implanting in their minds the principles of religion and morality."

At this time every denomination taught its own and received an equal portion of the fund from the public authorities to aid them in their good work, so that their children were provided for, and this society came to gather in the neglected and the outcast—they came as gleaners, after the reapers had gone through the field, and a most benevolent purpose theirs was; and their object I repeat, when they applied to the Legislature was set forth to be—(for they did not conceal the advantages of a religious education)—to produce benefits to society by the implanting in the minds of such children the principles of religion and morality.—There were children belonging to no denomination, and this Society seeing the benefits which would result to society from the education of such children by implanting in their minds the principles of religion and morality, undertook this benevolent work, and covered themselves and the name of their Society with glory by that undertaking. But it is strange that what then was so advantageous to the community—the implanting in the minds of children the principles of religion and morality—should have ceased to be so now; and that they or their successors should seek to make that very thing a disqualification, and to turn it against all denominations of christians, and claim themselves to monopolise the fund and the teaching on the principle that no religion shall be imparted. Now has the Legislature seen fit to alter the charter so as to make religious teaching a disqualification of all other sects?

Was it for that purpose that this society, step by step, obtained enlarged privileges, by which not only the neglected children of the community, but those of others, came under their care—that they obtained grants from the public treasury and the exchequer of the city, to an amount of many thousands of dollars, until the society claims to be the true and only society, though existing as a private corporation, electing its own body, fixing a tax for the privilege of membership, sometimes \$10, at others \$20, \$25, and \$50, any of which sums is too much for a poor man to pay; and out of this organized body electing the trustees to carry on the work.

I mention this, not to blame them, for they believe they are doing good, but to show that even with men who are honorable in every-day life, how much watchfulness and vigilance, how much tact and talent, is used to grasp more and more, till they absorb all, and completely deprive all others of any participation in the advantages of controlling this fund.

It is not my intention, as it is not my peculiar province, to enter into the legal part of the argument; but I have to regret that the gentleman who did intend to treat it, and to whose department it belonged, has been unfortunately prevented by the bursting of a small blood vessel.

But though my experience has not qualified me to enter into legal matters, yet, as a citizen, I might have the right to express my opinion on the monopoly which this society claims; and that opinion is contrary to the monopoly, and not only contrary to their monopoly, simply regarded as a monopoly, but because I believe that a monopoly of this description should be regarded with double jealousy. Why? Because this monopoly is of greater weight than in ordinary cases; of great weight peculiarly—for last year the fund amounted to \$115,000—because the distribution of that money gives to them a patronage which, considering the weakness of human nature, is in danger of being used disadvantageously—because it gives to them privileges of infinitely higher importance than any that can be estimated by dollars and

cents—the privilege of stamping their peculiar character on the minds of thousands and tens of thousands of our children. They ought to be men, to discharge the trust of such a monopoly, as pure as angels, and almost imbued with wisdom from above—such men they should be, when they would venture to come and stand by the mother's side, and say, in effect, "Give me the darling which you have nourished at your breast—give it to me, a stranger, and I will direct its mind. True, you are its parent, but you are not fit to guide its youthful progress, and to implant true principles in its mind; therefore, give it to me, and give me also the means wherewith to instruct it." That is the position of that society; and they ought to be almost more than men for this—as doubtless they are honorable men in their proper places; but of that we should have the most satisfactory evidence, that we may be well assured that they are fitted to discharge their duties. It is this consideration that brought me here, as the first pastor of a body of people, large and numerous as they are known to be; but poor as many of them are, and exposed to many hardships; they have children with immortal souls, whose condition is involved in this question, and if it is an impropriety in the clerical character, I would rather undergo the reproach than neglect to advocate their rights, as far as I have the power, with my feeble ability.

The catholics of the city of New York may be estimated as one fifth of the population; and when you take account of the class of children usually attending the public schools, and consider how many there are in this city who are in affluent circumstances, which enable them to give an education to their children, who do not therefore participate in the teaching of the public schools; and when you consider the numbers not attending any school at all, I say, of those people, who, by their poverty, are the objects most usually composing the number that require the assistance of the common school fund, catholics are one third, if not more. And when I see this one third excluded—respecting, as I do, their welfare in this life, as well as their welfare in a brighter world—then it is that I come forward thus publicly, and stand here to plead for them. I conceive we have our rights in question, and therefore, most respectfully, I demand them from this honorable board.

I am not surprised that there should be remonstrances against our claim; but I did hope, in an age as enlightened as this is, and among gentlemen of known liberality of feeling, that their opposition would not have been characterized as this has been. However, it is not to me a matter of surprise; for I believe if some of those gentlemen who consider themselves now as emi-

inent Christians, had lived at the period when Lazarus lay languishing at the gate of the rich man, petitioning for the crumbs that fell from the table, they would have sent their remonstrance against his petition.

When the methodist episcopal church sent its petition for a portion of this fund, some eight years ago, then it was not unconstitutional! Yet, did the catholics send in their remonstrance against it? When their theological seminaries obtained, (and they still receive,) the bounty of the state, did, or do, the catholics complain? Has there been a single instance of illiberality on the part of catholics, or a want of disposition to grant rights as universal as the nature of man may require? And I have been astonished only at this, that good men, with good intentions, should prefer to cling to a system, and to the money raised for its support by the public liberality—that they would sooner see tens of thousands of poor children contending with ignorance, and the companions of vice, than concede one iota of their monopoly, in order that others may enjoy their rights. I say this, because I am authorized to say it.

And what am I to infer, but, that they prefer the means to the end. The end designed, is to convey knowledge to the minds of our children; the means is the public fund; and, by refusing to cause the slightest variation in their system, they cling to the means, while they leave thousands of children without the benefit which the state intended to confer. They may pursue that course, but the experience of the past should have taught them, that while they maintain their present character, a large portion of their fellow citizens have not—cannot have—confidence in them.

We have not had confidence in them for years past; and that we have endeavored to supply an education to our children ourselves, is sufficient proof that we shall endeavor to supply it for years to come, rather than suffer our children to be taught under a system which makes them ashamed of the religion their fathers professed.

But they have said, that, if a portion of this fund is given to catholics, all other sects will want it. Then, let them have it. But I do not see that that is probable; and my reason is this:—they have sent in remonstrances against the claim of the catholics, as you will see by a reference to document, No. 80, all of which go to prove, that they are satisfied with the present public school system. And if they are satisfied, and their children derive benefit from it, let them continue to frequent the schools as they do now. The schools are no benefit to catholics now; we have no confidence in them; there is no harmony of feeling between them and us; we have no confidence that those civil and religious rights that belong to us, will be enjoyed, while the public school society retains its present monopoly. We do not receive benefit from those schools;—do not, then, take from catholics their portion of the fund, by taxation, and hand it over to those who do not give them an equivalent in return. Let those who *can*, receive the advantages of these schools; but as catholics *cannot*, do not tie them to a system, which is intended for the advantage of a class of society of which they form one third, but from which system they can receive no benefit.

There are many other topics connected with this subject, to which I might advert; but I must apologize for the length of time that I have trespassed on your patience. I feel, unaccustomed as I am to address such a body,

and hurried as was my preparation, that I have not been able to present the subject before you in that clear and lucid manner that would make it interesting; but it was not with that view that I claimed your attention in relation to it; it was with far higher motives; and I now, with confidence, submit it to your judgment.

THEODORE SEDGWICK, Esq. (with whom was Mr. Ketchum) as Counsel for the Public School Society, then addressed the Board and said:—

MR. PRESIDENT.—I appear here, with my learned friend and associate, Mr. Ketchum, on behalf of the trustees of the public school society; and I desire, in the outset, for those whom I represent, as well as for myself, to recollect all that the reverend gentleman has said of the motives of the parties for whom we respectively appear. The trustees are animated by no feeling but a desire to promote what they conceive will be for the true interests and welfare of the city; in which they are as deeply interested as any men can be. They have no other interest than to maintain that which, in their judgment, is right in itself and will be beneficial to the whole body. Impelled by these motives themselves, they are willing to believe that those who are opposed to them are animated by the same feeling. It is most especially desirable that, in a case like this, the petitioners should be heard, as they are being heard, in the most solemn manner the forms of the city government will permit. We have no doubt they will be fairly heard; we are convinced that the decision to which you may come, whether for or against them, will be righteously pronounced. The trustees therefore are most anxious that the case should be fully examined. What, sir, is the precise question before us? The petition, if I understand it, asks your honorable body for a civil ordinance—for an ordinance in regard to the application of money. I shall therefore waive all reply to that portion of the reverend gentleman's opening remarks which relate to the trustees themselves and the Methodist congregation. That part of his argument has nothing to do with the merits of the case; however pointed and piquant it may have been, it has nothing to do with the point which you have to decide. The trustees here sink into nothing; the petitioners also disappear from our view; and the real question remains, how is the intellectual condition of our children to be best promoted? On that question two great bodies are at issue; and it is especially consonant with our form of government, that both should be fairly heard; it is in consonance with that principle of our government, which bases it on harmony and compromise, with that respect which is due even to the opinions of the minority. The question is now being heard, as it only best can be heard, and all will rest content, no doubt, with the decision, whatever that decision may be.

If I understand this application correctly, it is an application to alter, to modify, or, at any rate, to affect the common school system of this state; not only of the city, sir, for it has a more extensive bearing; it is to affect the whole system of the state of New York, and your honorable body cannot come to a proper decision of this matter unless you bring your minds to the consideration of the origin of our system of education, its establishment, development, and extent. This system, sir, which you are this night called upon, in my humble judgment, not merely to modify but to overthrow, had its foundation laid as far back as the year 1795. On the 9th of April, 1795, an act was passed "for the encouragement

of public schools," and it is well worth while to know what was the opinion of the legislature which framed this act, in regard to the kind of education to be communicated in the schools which were to receive its bounty. That act appropriated \$20,000 annually for the support of those schools in the different counties of the state; in which the children should be "instructed in the English language, or be taught English grammar, arithmetic, mathematics, and such other branches of knowledge as are most useful and necessary to complete a good English education."

Such was the whole extent and aim of the system as it was originally founded. It was to give a purely secular education. This act was the germ of our present system; but the question was not fully understood, nor its importance sufficiently appreciated; there was not sufficient general heat in the body politic to develop it; it was not long acted under, and soon became obsolete.

In 1801, another act was passed, "*for the encouragement of literature*," by which four lotteries were established to aid in the accomplishment of the object; a pure object, deriving its support from a most impure source, for the proceeds of these lotteries were to be applied to the support of the common school in such way as the legislature might direct.

In 1805, the first step was taken to establish the system on a firm permanent foundation, and then (2d April) the proceeds of the first 500,000 acres of the public lands which should be sold were set apart, to be invested as a permanent fund for the support of common schools for the education of the children of New York. This fund was afterwards increased, during the years 1808, '10, and '11, by the receipt of the surplus fees of the clerk of the supreme court, by the proceeds of certain stock in the Merchants' Bank in this city, and the sums then flowing from lotteries, lands, fees, and banks, were invested, from time to time, by the comptroller for the same object. In 1811, the fund was found to be of a considerable amount, and commissioners were appointed to report to the legislature, at the next session, how this fund could be best appropriated, and also to prepare a system for the organization and establishment of common schools. They accordingly reported, and, in 1812, (10th June,) the first general act was passed, which laid the foundation, broad and deep, of the present system.

That act directed, in general terms, that, as soon as the revenue from the school fund should amount to \$50,000, it should be appropriated among the different counties of the state; commissioners and inspectors were to be elected by the towns, to expend the amount awarded to them; and trustees of the school districts were also chosen to carry out the scheme.

But in the first act a provision was inserted—and it is important in regard to the whole common school system to bear it in mind—that the towns and counties were not compelled to contribute to the expense of education at all. Such only as voluntarily accepted the system and taxed themselves to a similar amount, were permitted to receive any portion of the fund. But if they chose to disregard the matter altogether, they were at liberty so to do. The next year, this error—for so it seems the legislature deemed it—was corrected. The towns and counties were compelled to adopt the system, and the supervisors were directed to tax the towns to the amount of the proportion allotted to them from the school fund. They did then what they had not before dared to do.—They taxed the people directly for the purposes of edu-

cation. That act was passed in 1814. The system thus established was, as your honors well know, incorporated in the Revised Statutes, which, in 1830, were made the code of our state; and that beautiful fabric still remains as it was then fashioned—so simple, and yet so beautiful, I should be loath to see a hand laid upon it.

The functions of the original superintendent of common schools have been merged in the secretary of state, but in other respects no alteration has been made. The annual revenue of the fund is divided among the counties who are compelled to raise by taxation, a sum equal to their respective shares; commissioners were elected, and by them the money is apportioned among the towns, and these, again, are subdivided into districts, and trustees elected to take charge of the school houses, and to have the immediate supervision of the schools.

These trustees, at stated periods, (once a year,) make their report to the commissioners, the commissioners to the county clerks, and they, to the superintendent, now secretary of state; and thus, is one harmonious system established throughout the state. In the last report, of 1840, it is stated, that but one town in the state has not reported during the last year; at the establishment of the system, there was great diversity of opinion on the subject—there was great languor and indifference among the people, and it was long before the towns generally came to take an interest in it; it was long before the trustees made regular reports of the matters under their charge; but, as the last report of the superintendent shows, there has been a great progress of opinion; every town, except one, has made its report during the last year, showing the condition of its schools. In the year 1795, \$20,000 were appropriated to the common school system; in 1815, it is calculated by the report of the Superintendent, that the capital of the Common School Fund will amount to *five millions of dollars*. These facts alone, then, show the certain progress made, not only in the means for the accomplishment of the object of the system, but in the minds and hearts of the people themselves. Five millions of dollars then will be the capital, and two millions will be annually expended for the education of the citizens of the State of New York!—11,766 districts have reported, and 557,229 children are actually under instruction in these schools! Now I suppose, having reference to the magnitude of the State and to its population and resources, it may most safely be affirmed there is no such system for the education of the poorer classes of any country in the universe—no system of this grandeur, by which the people take care that the people shall be educated—made competent to discharge those duties, without which the form and fabric of our government are a mockery. This is the general system throughout the State. Now let us examine more particularly those features which relate to this city, with which at this time we are more immediately concerned. In 1813, the first act to which I have alluded, extended its provisions to this city; and it is somewhat remarkable that the Legislature then drew a line between the population of this city and of the country, and *required* the city to levy a tax for this object, before it required the country population to do so. In 1814, as I have already said, the system was applied to the entire State, and all counties were required to raise by taxation an amount equal to their portion of the fund. By that act, certain schools were specified as the recipients of this Common School Fund, and such other incorporated religious societies as then supported charity schools. In 1824, this act was repealed, and the Common Council was authorized, once in three years, to designate the institutions

and schools which should be entitled to receive the school monies. After the passage of this act, a petition from a great portion of the property owners of this city was presented to the Legislature, praying leave to raise by taxation on this city and county, a further sum, besides that already required of them, for the same purpose of educating the destitute poor. I claim no peculiar merit for them in so doing, but they are at least entitled to the credit, such as it is, of comprehending their own interest. They saw that the education of the poor was essential to their own welfare. Perhaps this is the only instance on record of citizens soliciting the favor of being taxed. It was granted—and the Corporation was then authorized to impose a special tax on this city for the support of schools. And what has since been the development of this system in this city? In the year 1838, \$34,000 were received from the School Fund—\$34,000, or an equal amount to that received, were raised under the compulsory clause of the school system acts, and \$73,000 in addition were raised by this voluntary taxation; so that the annual revenue of the fund in controversy, exceeds \$140,000—no trifling sum to be distributed by this municipal body. Now, if you please, what is the tendency of this system? its practical effect—its mode of tuition—the nature of its instruction? In the first place, there is *no law* on the subject. The reverend gentleman has said that if the prayer were granted, they would conform to the provisions of the law—he was willing that the body which he represents should apply the fund as the law directs. But the law makes no provision in the matter. If the Koran was taught in a common school, the law would not interfere—the law would not shut the school; it must be got at in some other way. This, the very essence of the matter, was left, and doubtless intentionally left to the people of the State and to this honorable body: throughout the State the people elect their officers for the management of these schools; here it is done through this body, who are elected by the people. You then, who are the representatives of the people, decide to whom this fund shall be distributed. Now at the outset the question may arise, and a great portion of the remarks of the reverend gentleman compel a notice of it—whether the education of the people is a proper subject of governmental concern. If I understand the argument of the reverend gentleman, it tends to the negative of this proposition. When he says the trustees of our public schools “*take the children from their mothers, deprive the parents of their offspring*,” I understand him to say—and it is not the first time by any means that this question has been mooted—that the State has no right to interfere—that the matter should be left to the parent—that the State should not interpose between the father and his child. If that argument is sound, then the whole system should be abolished—if the State ought not to interfere at all, taxation for this object must be done away with, and no further sums should be levied, and the school fund, guaranteed by the constitution, should go back into the general coffers. But, right or wrong, such is not the understanding of the people of this State. They have said that there is a portion of every population that does not sufficiently appreciate the advantages of education, voluntarily to secure them; they know, or think that they know by experience, that such parents, unless compelled, will not properly attend to the interests of the child, and therefore the people of the State say, “we will interfere—no man shall come up to his majority and claim the right of voting without that education, which shall prepare him, at least in part, to exercise that right. He shall have at least a portion of

that instruction, without which he is a firebrand in the midst of a magazine.” This matter, therefore, no longer admits of argument. The question to be argued here is not whether the father and the mother are the best judges of the interests of the child in this point of view—if so, we are cast on the sea of abstract discussion. We must assume something: we must take something for granted. The postulate in this case is, “the State requires its children to have some kind of education.” What kind then shall that be? Is the present system the best, or shall we have something new, and repudiate that, which the experience of thirty years has sanctioned and approved? There are three kinds of education which the State might give. There is the purely secular education, such as the first act, to which I have referred, contemplates; such as the master gives to an apprentice. This secular education may be better or worse, more or less extensive. The child may be taught to read and write, and may be given what is called by the State “a purely English education.” There is another kind of instruction the infant may be imbued with—those fundamental principles of morals, about which there is no dispute—at least not in this country, nor in any part of chris-tendom—about which the body which the reverend gentleman represents, and we Protestants all equally agree; as to the moral code of Christianity there is no material difference of opinion among us. But, beyond that, there is still another branch of instruction which is properly called *religious*, and it is because those two phrases—“religious” and “moral”—have been used occasionally without an accurate apprehension of their signification, that the documents of the trustees have been misconstrued. But when the term “moral” education is used, it only means that education which instructs the children in those fundamental tenets of duty which are the basis of all religion; it does not mean that sectarian or dogmatic teaching, which constitutes what is more properly termed a “*religious*” education. The common schools have meant from the beginning to teach the children the great moral precepts—“Thou shalt not steal—thou shalt not lie”—and others; but they have not intended to teach either Episcopalianism, or Methodism, Catholicism, or Unitarianism, for from that controversial leaning they have intended—and if I understand the system, the Legislature intended—that the schools should keep aloof. It never can be imparted without involving the parents and the children in bitter disputes endless in their nature, whose inevitable effect would be to exasperate the minds of the parents towards each other, and be either useless, or positively injurious to the children. A religious education, properly so called, no man can undervalue; if a moral education is given, the other invaluable instruction must be superseded; but the State does not intend to give it. The State intends to give a “secular” and moral, but not a religious education—the State does not intend to give a sectarian education, and that is precisely what, if I apprehend correctly, the reverend gentleman does intend to give. Such as I have described is the character of the instruction in this State; and that of the city is in harmony with it. It is a system, I repeat, by which it is intended to confer a secular and moral education. It has been thought that for the purposes of moral teaching, the Bible contains that in which all sects can agree; from which no sect can dissent. Now what is the prayer of the petitioners? I suppose it is hardly necessary in this age and in this country, to deny any feeling of hostility to Catholics. If there is one feeling that has spread more than another throughout this country, it is one of religious toleration—it is that this country was

designed and was provided as an asylum for the oppressed of other countries. It has been so most fortunately for the Catholics of Ireland, and the poor peasant of the Ierne.—There is no feeling of hostility to the Catholic as such; still less to the foreigner as such. There was a time when Catholicism and Christianity went hand in hand, when their fellowship was broken by no jar nor schism; when all were Catholics. One of the best men who has ever adorned this country, was Bishop Cheverus, of Boston, one of the few who achieved a wide spread reputation by mere acts of private benevolence. And while we can turn to such men as adorning the Catholic Church, it cannot be that there is any hostility to them, as a sect; if there be, most assuredly I am not its mouthpiece; and while I repudiate all feeling of hostility to the petitioners, this I will further say, I would not for a moment lend my feeble aid to the public school system, if it were actuated or marked by intolerance or hostility to Catholics, if it did not maintain a perfect impartiality among all sects. I conceive that this is not a subject to argue as counsel, from a brief: unless I were satisfied that the compliance with this petition would be dangerous to the whole system, as a lawyer, I would not say a syllable in the matter—I would never on such a subject argue against my deliberate conviction as a counsel for hire.—The professional man must here be merged in the citizen, and it is only as such that I desire to be heard.

If this matter, however, is properly considered, there can be no pretence for making it hinge on Catholicism or for awaking the violence of religious schisms; although a portion of the Catholics, at this moment, are the most prominent petitioners of the most numerous body which demand a change of the system, yet in point of fact they are not more affected by it than others. The other denominations say, "We are satisfied with the present order of things and with the education conferred, but if you give a portion of these funds to one sect to be administered by their hands, we shall claim our share also." So long as you give a secular education combined with moral instruction alone, and steer entirely clear of all doctrinal or sectarian principles all are satisfied, but the moment an apprehension exists that a part of this great fund goes to increase the numbers and the power of one particular sect, that moment the others will eagerly strive to check what they believe a pernicious influence, and to check it in the same way. At present these sects tacitly consent to the system pursued by the trustees, because the Common School is now literally a "Common School;" a neutral institution; but give a portion of this fund to promote the interests of that sect and others will that instant press in demanding their equal share. Those demands you will not be able to resist. I am not speaking of any speculative matter; you have, Sir, petitions couched in these very terms, and if you answer the Catholic in the affirmative, you cannot give a negative to the other claimants. Consider then for a moment the effect of this. After all the sects have divided the fund among themselves what is to become of the children of that large class who are of no sect, or at least who wish no sectarian education to be given? Are they to be left utterly destitute? The conclusion is irresistible, that this is a direct attempt to subvert the whole Common School system. The grounds taken by the petitioners are two-fold. If I understand them correctly, they are totally at variance and incompatible with each other. One is, that the dogmas of religion, or religion properly so called, is not taught in these schools, but that what the reverend gentleman calls the sectarianism of infidelity is propagated in them. Another objection to the system is, that the children are made Pro-

testants: in other words, that religion is taught to them. I leave it to the reverend gentleman to reconcile these propositions for the purposes of his argument—for the purposes of mine it is sufficient that neither of them is tenable. One is false in point of reasoning, and the other in point of fact.

And now we approach the citadel, the centre of the discussion. Now as to this matter the petitioners ask your honors to pass a civil ordinance; the first question that suggests itself is, *have your honors the power* to make the appropriation asked for? The Committee of the Board of Assistants have already intimated their opinion that no such power rests here; that this application, if made at all, should be presented to the legislature: and the Board of Assistants have intimated the further opinion that the legislature has already passed upon this very question. That the Board of Assistants are right there is, I venture to affirm, no doubt. The act of 1813, by which the legislature undertook to direct how the School Fund should be applied in this city, apportioned it among the trustees of the Free School Society, now the Public School Society, the Orphan Asylum Society, the Economical School, the African Free School, and *such incorporated religious Societies as now support or thenceforth shall establish Charity Schools or may apply for the same.* That act, beyond any question, gave this body power to make the appropriation now asked for. The churches acted under it and claimed their share of the School Fund. On the 8th of February, 1822, an act was passed for the relief of the Bethel Baptist Church of the city of New-York. That congregation went begging to Albany, as other congregations will go if this wretched system shall be introduced, and asked leave to apply that part of their share which was not wanted for teachers to the erection of school-houses. The act was passed and its natural consequences ensued. The teachers were underpaid and false receipts were used in order to facilitate and conceal the increase of the property of the corporation. Here a gross fraud was perpetrated—that fraud was discovered, and it led to a change in the system. The Nineteenth Annual Report of the School Society contains all the documents and proofs on the subject. It is sufficient for our present purpose that the fact of the deception was proved to the satisfaction of the Common Council of the city, and of the legislature. The Common Council took the matter up and addressed a memorial signed by Mr. Paulding, then Mayor, to the legislature, for the repeal of the act under which the fund was appropriated to religious societies in the city. They say—

"The question for the determination of the Legislature, at this time, is presumed to be, whether the Free School Society shall be suffered to continue its operations and have the principal management of gratuitous education in the city of New-York, or whether the religious societies shall take it out of its hands, and the poor be educated in sectarian schools.

"If religious societies are to be the only participants of the portion of the school fund for the city of New-York, a spirit of rivalry will, it is thought, be excited between different sects, which will go to disturb the harmony of society and which will early infuse strong prejudices in the minds of children taught in the different schools. Moreover your memorialists would suggest to your honorable body whether the school fund of the State is not purely of a civil character designed for a civil purpose; and whether, therefore, the entitling of it to religious or ecclesiastical bodies is not a violation of an elementary principle in the politics of the State and country."—19th Rep. of Free School Society.

Upon that memorial a Committee of the Assembly reported a Bill to repeal the Act in question. That Report contains the following passage:

"There is, however, one general principle connected with this subject, of no ordinary magnitude, to which the Committee would beg leave to call the attention of the house.

"It appears that the city of New-York is the only part of the State where the School Fund is at all subject to the control of religious societies. This fund is considered by your Committee purely of a civil character, and therefore it never ought, in their opinion, to pass into the hands of any corporation or set of men, who are not directly amenable to the constituted civil authorities of the government, and bound to report their proceedings to the public. Your Committee forbear in this place to enter fully into this branch of the subject, but they respectfully submit whether it is not a violation of a fundamental principle of our legislation, to allow funds of the State, raised by a tax on the citizens, designed for civil purposes, to be subject to the control of any religious corporation."—15th *Annual Rep. of Free School Society*, p. 51.

Upon that memorial and report, both holding this language, the act was passed under which your honors are now called upon to grant the claim of the petitioners on whose behalf the reverend gentleman has just addressed you. On the 19th of November, 1824, this law was enacted, entitled "An act relating to Common Schools in the City of New-York," by which it is provided that—

"The *Institutions or Schools* which shall be entitled to receive the school monies, shall, from time to time, and at least once in three years, be designated by the Corporation of this city in Common Council convened."

Now I ask your honor, since statutes were first formed was ever a Church designated in legal language as an "*institution*" or a "*School*?" That act then, coupled with that memorial and report on which it was based, compels the conviction that it was the intention of the legislature—if my mind is not clouded by the views I have taken on the subject it is as clear as the sun at noon-day that the legislature intended, that this fund should be divided amongst "Institutions and Schools," and to be appropriated to the purposes of education—of civil, secular education, not of religious sectarian instruction. We are now then after the lapse of only fifteen years, arguing before this honorable body the very question which was argued and decided against these petitioners, and that not abstract or complicated, but one of the simplest in the very primer book of liberty. The only question which can by possibility be raised on this branch of the case is the change in the phraseology adopted in the Revised Statutes, vol. i. p. 483, (2d. ed.) where instead of the words "*Institutions or Schools*," the words "*Societies or Schools*" are substituted. That certainly is not the language of the act of 1824—it is not as clear language as that used in the original act, but it is very apparent that the revisers changed the language without intending to change the purport of the provision. Your honors are well aware that where any change of our State Law was considered necessary by the revisers, where an old enactment was altered or a new provision was introduced, it is uniformly accompanied by a note to show the reason for the alteration. But there is no note nor comment whatever on this passage. Your honors are equally well aware that the revisers did for the simplification, and as they no doubt considered the improvement, of the law, sometimes change the phraseology of our Statutes, to make it more elegant or precise; that is the reason why they here have substituted the word "*Societies*" for "*Institutions*." It is not to be supposed that they could deliberately revert to the exploded enactment, which existed prior to 1824, without note or comment, explanation or reason, to show why they had re-established a system once pronounced pernicious. As a matter of law, therefore, I affirm without hesitation this question has been passed upon by the legislature, and that the sovereign power has removed from this honorable body the right or authority to apportion this fund among religious societies. If we are right in this part of the discussion we might stop here. If this ground is well taken the petition must unquestionably be rejected. Your honors cannot act for want of jurisdiction. But sup-

pose us to be wrong—put out of view the act of 1824, and consider the question as it presents itself on general principles, as if we were to argue it before a committee of the legislature. How have your honors acted on this subject already? The present disposition of the School Fund is among the Public School Society, the Mechanics' Society, the Orphan Asylum, the Harkness School, the Manhattanville School, the Yorkville School, the Catholic Benevolent Society, the New-York Institution for the Blind, the Half-Orphan Asylum, the Association for the Benefit of Colored Orphans in New-York. Of these the most prominent is the Public School Society, the utility and benefits of which it is impossible to extol too highly, but whose power the reverend gentleman most egregiously exaggerated. What are its powers? In 1805 this Society was incorporated by the legislature under the name of "*The Society for Establishing a Free School in the City of New-York, for the Education of such Poor Children as do not belong to or are provided for by any Religious Society*." In relation to the original petition on which the charter was granted on which the reverend gentleman has commented, it is sufficient to observe, that at that time no school fund existed, and the petitioners might ask leave to give religious education or any other species of education; whether wise or not, that petition has no connection with the application of the Common School Fund. In 1818 the power of that Society was extended to all children who were proper objects of gratuitous education, and the name was changed to "*The Free School Society of New-York*." On the 5th of January, 1826, it was altered to "*The Public School Society*," by which name it is still known. The yearly income of this "magnificent incorporation" so "dangerous to the liberties of the people" is limited by its charter to \$10,000 per annum. This Society has been called, by the reverend gentleman, a "monopoly." I did not expect to receive to night a lesson on the evils of monopolies.

That subject, we pretty thoroughly discussed some years since, as you, Mr. President, no doubt well recollect. That discussion was carried on here by one of the most upright and boldest spirits that ever inhabited a mortal frame. It is foreign to this subject, but I shall never forgo any opportunity of commemorating with my faint praise the name of William Leggett. But this Society, sir, is not one of those huge political engines which we were then taught to dread—a Society incorporated under a general statute, the privileges of which are open to all; the only object of which is to supply education to the poor; the annual income of which is limited to \$10,000, is not, I need not assure your honors, such a "dangerous monopoly" as should exclude it from popular favor. It is just such a monopoly, just such a monster, if the reverend gentleman likes the phrase better, as any one of the churches which he represents. Some better ground of objection must be found than that this incorporation is a "monopoly." The argument of the reverend gentleman has certainly the merit of flexibility, but it stretches too far: he sets out with the proposition that this Society inculcates sectarianism, but when he found that would be turned against him, he goes on the other tack and charges them with infidelity. Not quite satisfied with either of these, he starts the certainly novel accusation that it is a monopoly, and finally he insists that the Society has not the confidence of the people. As to this matter, like most others, facts speak louder than words. A statement has been recently prepared in relation to the children taught in these schools, which shows the nature of their effects on the population of this city. The report not only gives the number of the children taught, but the occupation of the parents

has been carefully set down, and a single glance at it will show what class of society is most interested in the support of this "dangerous monopoly." Of 16,000 children, no less than 1,488, or about one-tenth, are the children of laborers; 1,461, or nearly another tenth, are the children of widows; 945 shoemakers; 502 cabinet-makers; 416 tailors; 579 tailors; 493 blacksmiths; while of clergymen there are but 13; of doctors 44; lawyers 25; and the gentlemen figure in the list to the amount of 26. This is the proportion in which the children of the different classes enjoy the benefits of education from the Public School Society. The reverend gentleman's assertion that the Society has not the confidence of the public, is somewhat answered by this statement. But if it were otherwise, should it be thought strange, and would it be singular if the same eloquent voice which we have heard this night, is constantly raised to deter one large and important class of the people from entering those common schools, arousing the prejudices of the poorer part of our population as to the motives of the Society and the character of its instruction? But it is not true. In point of fact they have the confidence of the people to a most remarkable extent.

This institution has organized 98 schools; expends annually about \$130,000, and is, as I have said, the principal agent of the common school education in our city. This institution has in its instruction, most sedulously confined itself to a secular and moral education, and most scrupulously eschewed every thing of a sectarian tendency. It is against this institution that these petitions are most especially aimed.

To come back to the other recipients of the school fund. The Haarlem, Hamilton, Manhattanville, and Yorkville schools, as well as the African and Mechanics Society, are I believe proper free schools, some of them devoted to particular classes of society, but all confining themselves to secular moral education—steering clear of sectarianism in every shape. The other institutions do in some shape or other convey religious instruction, and as such are exceptions to the general rule.

A report was not long since (I think in 1833) made by the Board of Assistants against the claims of these latter establishments, on the ground—the same we now urge—that this fund is intended for the purposes of secular education, and that those institutions, such as the Orphan Asylum, no matter how excellent they may be—no matter how much good they may effect, do not come within the pale of those educational establishments to which it was intended that this fund should be devoted. Unfortunately the views of the report did not prevail. Your honors have already gone beyond the intention of the Legislature and the Constitution—and have already erroneously granted aid to institutions which do not strictly come within the original design of the Common School System. But is this to be established as a precedent? I think not. The grants to these institutions, of small amount and little consequence, will hardly serve as a pretext for breaking up the system altogether. The application now before you is, that your honors will be pleased to designate, as among the schools entitled to participate in the Common School Fund, St. Patrick's School, St. Peter's School, St. Mary's School, St. Joseph's School, St. James' School, St. Nicholas' School, Transfiguration Church School, and St. John's School.

Now, if your honors please, what is the ground of this petition? First, that the Catholics, who, as represented by the reverend gentlemen, pay taxes equally with all other citizens, cannot enjoy the benefits of the schools, because their

consciences will not permit them to send their children there. I am by no means disposed to under-rate the force of this objection: if I oppose this application it is with no desire to achieve a paltry triumph over the petitioners or the reverend gentleman himself. Our object is that which actuates him—it is the wish that the children of the poor be educated—to give them that which the petitioners say they are striving to obtain. If there is anything in our system which, rightly considered, prevents their enjoyment of its advantages, the system is in that respect wrong. If a large body of our citizens cannot (in fact and for good reasons) participate in the advantages of our public free education, that education is on a wrong footing—is radically wrong. But the question is after all, one of fact. Is the ground on which they prevent their children from going to these schools well taken? What then is the reason which they assign? As I have said, the objections resolve themselves into two—and these two are totally incompatible and inconsistent with each other. One branch of the objection is that the instruction is purely secular. This has been urged not only in the argument of the reverend gentleman, but the same view of the subject is presented in the documents presented to this Board. It is there stated in various forms that religion is excluded—that religion is not taught—that the instruction is purely secular, and that the children grow up infidels in consequence. That is alleged to be the tendency of the schools. Such is the first objection. Now what is the other, or the other head of this same objection. That the Bible is used by the pupil "*without note or comment*"—that the schools are totally Protestant in their bearing, and tend to undermine the Catholic faith. One of these positions is, I suppose, with great respect, untenable—a child cannot well grow up a Protestant and an Infidel at the same time. On which does the gentleman rely for the great responsibility he assumes in dissuading his parishioners from availing themselves of these schools. The Bible without "*note or comment*?" Is this the objection? *Whose* "*notes*" or "*comments*?" I pray does he intend to introduce into our common schools? Is it possible that the Bible cannot in this day and generation be trusted in the hands of our American children? If the whole Bible cannot be used, cannot such extracts from it be compiled as will satisfy all parties? This has been the course actually adopted by the trustees. They habitually use a volume composed of selections from the Bible. Cannot these selections be made so as to satisfy all sects? The real tendency of the reverend gentleman's reasoning in this matter, cannot be appreciated without recollecting the difference between the Catholic and Protestant Bible. I do not intend to draw any parallel between the texts of the translation which we use, and that of the Douay or the Catholic Bible. All our early associations are so interwoven with our own version, that it would be no easy matter to give the Catholic translation a fair and impartial judgment, as far as the richness, beauty, and force of style is concerned; but on one point surely we of the Protestant faith cannot claim any superiority. In the *moral teaching* of the two versions there is no considerable difference; in the doctrinal points there are it is true, some important discrepancies. Where the word *repent* is used in our edition, in the Catholic it is *do penance*; for the words *daily bread*, in the Catholic edition, are substituted *supersubstantial bread*; but the great moral precepts (I speak now of the teaching of our Saviour) are the same. How can it be otherwise? We are all Christians; either Bible is the code of Christ; but as the reverend gentleman has said, it is the "*notes and comments*"

which distinguish the Catholic from the Protestant edition; it is to the edition without note or comment that the objection exists. This objection is a fundamental one in principle. The Catholic Bible is filled with marginal notes which inculcate dogmas proving or seeking to prove doctrinal points—Transubstantiation, for instance; or the necessity of the Fasts and Penance. Now for the purposes of this argument, the truth of these doctrines is not of the slightest importance. I do not care whether Protestant or Catholic be right. The question is not one of sectarian dogmas, but of education. The difference is not as to the justice or correctness of the "notes and comments," but as to the propriety of using any—whether our children shall be taught to love their neighbors, and not to lie, and not to steal, or whether their young minds shall be occupied with the pros and cons of Transubstantiation, Penance, and Fasts. Mankind has never disagreed as to the propriety of robbing, or cheating, or bearing false witness, but about these dogmas, these doctrines, the race has been cutting each others throats for the last ten centuries. For the last four centuries these doctrines have dyed Europe with blood. It is these recollections—these reminiscences which have dictated our legislation on this subject. It is these prodigious evils that American statesmen have striven to avoid. This is the evil which the trustees believe they see in the application now made, and in behalf of both Catholics and Protestants, they implore you to reject this petition. They have confined themselves in the instruction given in these schools to that which they believe is in conformity with the intentions of the State—a secular education—reading and writing, and the rules of arithmetic, with such instruction on the precepts of the Bible as they did suppose all persons calling themselves Christians could agree in. If this is wrong, the trustees are wrong altogether, and something else must be substituted. If a moral education is not of itself sufficient, if it is not the only proper education for our free schools, something else must be substituted. The religious, the doctrinal, the sectarian education they have hitherto left to the fireside, to the parent, to the Sunday school. They do not pretend to give it; they do not pretend by the use of the Bible to teach more than that moral code which every class of Christians, whether Catholic or Protestant, they conceived would unite to give. In these matters it is worth while to look at the experience of other countries. The same controversy that has arisen here, has arisen also in Ireland; but there—in a country torn by religious schisms—and I state a fact well known to the reverend gentleman, both Protestants and Catholics have united in a selection of extracts to be used, some from our version, some from the Douay Bible. I do not say that this could be adopted here, but I do say there is some neutral ground on which both parties can meet. I do not pretend that the scheme of the trustees is wholly unexceptionable, but I do say that vastly greater defects must be discovered in it than have yet been pointed out, to justify its abandonment—and that with all its imperfections on its head, it is a thousand told better than what is now proposed as its substitute. As to the other branch of this double-headed objection, that the books used in the schools are hostile to Catholics, and promote the Protestant interest: if they are so they ought to be expurgated; and if they cannot be satisfactorily expurgated, the books themselves ought to be abandoned and their places supplied by others. The trustees have viewed this matter in the same light—they have done all in their power to remove the Catholic objection so far as it exists. I regret that the books are not here that I

might convince your honors how far they have gone to meet what they considered the well-founded remonstrances of the Catholics. They have expurgated whole passages of text from some books, and in other instances have pasted two leaves together so as to annihilate completely the objectionable passages until a new edition can be procured. This has been done too, notwithstanding the refusal of the Catholic authorities to give the least aid, and surely it is not fair when this has been done to insist that these gentlemen were blameable for not discovering these passages sooner. I repeat, it is not common fairness.

They have offered to make the books unobjectionable to Catholics—they have asked the gentlemen who now complain, to lay their fingers on those passages which are objectionable, and they have promised that they should be struck out. But all co-operation and assistance has been refused. There is one other branch of the question, as regards the conduct of the School Society of no little importance. The schools during the week are under the control of the School Society, but on Sundays they have been used as Sunday Schools by such religious societies as would pay for the fuel and take charge of the building. This privilege has been tendered to the Catholics. They have been told, "If you will avail yourselves during the week-days of the Public Schools you may have the use of the buildings on Sundays to give such religious education as you see fit, and you may use the Douay Bible or the Missal." Nothing surely can be fairer or more impartial than to place all the sects on an equality during the week, and on Sundays to use them as they choose for religious purposes. There is but one other branch of the reverend gentleman's remarks to which it will be necessary to refer; that is, as to the character of the schools, for which a share of the fund is now demanded. The reverend gentleman insists that they will not be *sectarian schools*; but this must be so; they can be nothing else from the nature of the case. The schools are attached to their Churches, they are within the sound of the chant, almost within reach of the altar; and if sectarian schools are not to be established what is the object of their establishment at all? If the objection to the existing schools is that they convey no religious instruction, and these schools are intended to obviate such objections, what kind of education, I beg, will be given? What, to be sure, but the teaching of the Catholic faith. The very ground—the whole foundation of their petition is that the schools ought to convey religious education; and do they not in the schools which they mean to establish intend to convey religious instruction, and you need not be told by me that it will be a Catholic education, a purely Catholic—a sectarian education. If you, gentlemen, are prepared to lend your funds and your authority to such a scheme, you have only to say the word. The trustees of the Public Schools, and the gentlemen who compose the Public School Society hope the result of this application will be such as will bring the children into the schools. Their object is, that the children shall be educated. If there is anything in the objection made as to the character of the schools or the lessons taught therein, let a committee be appointed by your honors from your own body to investigate the subject. If any well-founded cause of complaint exists it will doubtless be removed. But until it is established by better proof than we have here, that these schools are objectionable, and by better argument than we have this night heard, that the public funds should be devoted to feed the fires of religious fanaticism, surely your honors will not abandon these long-established and excellent institutions.

HIRAM KETCHUM, Esq., spoke as follows:

MR. CHAIRMAN,

This is an application on the part of the Roman Catholic Church, or of the Schools under the direction of the Roman Catholic Church, to be permitted to participate in the School Fund. I desire to say this is not a controversy of Catholics with Methodists, or of the Catholics with the Society of Friends; the question here is, whether the petitioners can, upon principles of public policy, be permitted to participate in the School Fund. I may say in advance, that I don't oppose the petition on behalf of the Public School Society because the petitioners are Catholics. Within the last eighteen years it has been my duty, on behalf of the School Society, to oppose many petitions for participation in this fund. Petitions have come from Episcopalian Schools; and those Schools have been represented by a gentleman who is now one of the highest dignitaries in that Church in this State, and also by able counsel. Petitions have come from the Dutch Reformed Church, and they have been advocated with great ability. Petitions have come from the Methodist Church, and have likewise been advocated with great ability; and from the Baptist Church, and they have been advocated with equal ability; and from the Roman Catholic Church time and again; and the prayers of these petitioners, when united as when separate, have, upon what were deemed sound public principles, been rejected by your predecessors. Now the petition comes from one society alone, and the question is, whether the same principle which excluded the Episcopahans, which excluded the Methodists, which excluded the Dutch Reformed Church, which excluded the Baptists, shall not now, as it has heretofore done, exclude the Roman Catholics also.

Mr. President, I regret that some things have been said on behalf of these petitioners that have been said. I regret that an attempt should have been made here to enlist prejudices against the Public School Society, because it is a corporation. The Public Schools of this city are managed upon the same principles on which the Common Schools throughout the state are conducted; and if the Public Schools are wrong, the principles of the Common Schools throughout the whole State are equally erroneous; and it seems to me that the question is, not whether the Public Schools are managed by a corporation or not, but whether, upon principles which have heretofore been discussed, there can be conceded to Catholics, or any other religious denomination, that which is now sought. If they be so fortunate as to prove that the Public Schools are on a wrong basis, still they have not gained their point—still they have not shown that Catholics, or any other religious denomination are entitled to the Fund. I may be permitted also to say, I regret that popular appeals have been made on this subject. I do not object to the Trustees of that Association coming here to petition; but when I read accounts of popular appeals being made by a high dignitary of that church to the people, to enlist the popular prejudice on this subject, I may be permitted to say, that, at least, the course is a novel one. When I read accounts of the first pastor of that church,—when I read of a mitred gentleman, being received by the people with "cheers," when I read that he addressed them and was "cheered" on, as we are accustomed to be in our public meetings, I must say there is something novel in the proceeding. The gentlemen composing this body, I conceive are capable of reasoning on this subject, and it is hardly necessary that a mitred gentleman should descend into the arena, and appeal to the popular prejudice or passion, to influence the judgment of this Board. I am sure sir, if I—and I speak it with all respect—if I, or any other man, had been passing St. James's, at the times these

meetings were held, we should have supposed that they were political meetings, and that possession of the Hall was taken by either the "Whigs" or the "Democrats." It seems to me not becoming—it seems to me that it is not treating the question in a proper manner to make these popular appeals, and then to come here *en masse* to ask your honors to grant the prayer of this petition, at the same time telling you that the Catholics are one-fifth of our population. I care not how numerous they are. I know the Catholics, when joined by others on a former day, had their petition rejected; and I trust when they come here alone, attended by the populace which they have excited, they will have no more nor any less conceded to them than is right, on sound principles of public policy.

There are two principles or propositions about which we shall not disagree. The first is, that the Legislature has power to direct that a Public Fund shall be provided for the education of every child in the state. There is no contradiction here of any sound principle. It is no violation of any sound public principle in the Legislature to enact, that out of the public money, raised by tax on all our citizens, every child in the state may be permitted to receive the rudiments of an education. There is one other principle which is equally in accordance with the well established public policy in this state, namely, that not one cent, raised by public taxation, can go to support a religious institution—can go in payment for an education purely religious in its character. Now let us inquire for a moment the reasons on which these propositions rest. Why is it that the state can tax all the people for the education of our children? Because it is admitted that intelligence is necessary to enable every citizen to discharge his duty to the community—because our institutions rest upon the intelligence and virtue of the people; therefore, it is right that the state should furnish that intelligence to every member, and it is no answer for any man, who is called to pay a tax for that legitimate purpose, to say, "I send my children to schools where I pay for their education—I do not wish to avail myself of the Public Fund—my children are educated at this or that classical school—I don't wish to participate, and therefore I won't pay the tax." This is an answer that the state would not admit for a moment. And it might be that the state adopted some system of education which might not suit all; the Lancasterian, for instance, as in this city. Now some may say, "I dislike the Lancasterian system—I think it is calculated to impart a superficial education—I dislike it—I have a deep rooted objection to that system." But will the state permit him to say, I will withhold my tax? I cannot pay my tax, because I have an objection to the system which prevents my children participating in the Fund; and therefore I ask the privilege of retaining my portion of the tax? Would the state listen to such a plea? What then is the conclusion? Why, the state, having the right to educate the children, and having the right to tax the people for that purpose, must necessarily adopt some general system—it must follow some general rule, and whatever my scruples may be, whatever may be the scruples of any other individual here, or throughout the community, and however oppressive it may be to me, or to others, who cannot avail themselves of the system, they must submit. The great end which the state has in view—to impart intelligence to every citizen—must be accomplished, and on some principle adopted and established by the state itself. Well, what is the next principle and reason? We see that no tax can be laid for the support of religion. Why? Religion is the foundation of sound morals; that no man will deny; we do not live in an age when any

man denies it. Sound morals are essential to the preservation of the community; why, therefore, shall not the city be taxed for that which is essential to her preservation? Why shall she not be taxed for laying the foundation on which sound morals, and sound political institutions rest? I will tell you why. We are divided into different sects, and if we were taxed for the support of religion, it would happen—it could not be prevented—that a man would be taxed for the support of a religion in which he did not believe—and which he regarded as injurious. I should be taxed to support the Jewish religion; Dr. Brownlee would be taxed to support the Catholic religion, and the Reverend gentleman who has addressed you here to-night, would be taxed to support Dr. Brownlee's religion. And would they pay the tax? No; for it would be a violation of conscience; and you would then see the time arrive, if an attempt were made to collect such a tax, when men would march to the stakes as in years gone by. Right or wrong, you would see many Protestants go to the stake, before they would let a single dollar of their money go to teach the Right Reverend Gentleman's religion. So, on the other hand, you would see thousands of Catholics suffer martyrdom before they would contribute to a fund whereby they might, by chance, be contributing to the teaching of heresy. This is the reason why we cannot have a general tax for the support of religion. But again, we believe that religion is essential to sound morals. There is no gentleman here who will deny that the Christian religion is the great conservative principle of the community. And how is that best promoted and advanced? By being let alone; by giving every denomination a fair chance; by leaving religion to voluntary support. It is best for religion itself that it should be let alone to extend its own boundaries. Now, then, Mr. Chairman, to me it is most manifest that this community is bound to furnish the rudiments of a common education. The state is bound to do this, and to do it by some public system—by some ordinance, or by some law; the state is bound to make provision for furnishing this education. I do not say—I will not pretend to say, that the state has a right to take the children from the arms of their mothers. I do not mean to say that the state has a right to force education on any body. That is not the principle. But I mean to say that the state ought to furnish a system which shall be open and acceptable to all. It ought to furnish bread, and say come and eat. I do not mean to inflict pains and penalties; I should think they would be hardly necessary. Let us go forth with persuasion; I am for using no force, but the force of strong argument. Well, now sir, if it is the duty of the state to furnish an education for the poor, and for all the children in the community, or for all that will avail themselves of it, the state must establish some system; and there is a system established in the City of New York, upon what we supposed to be public principles—Common Schools in the common acceptation of that term.

Mr. Chairman, the idea that we are bound in our Common Schools to teach religion is a perfectly novel idea to an American mind. Who ever went to a Common School to be taught religion? I am in the midst of Americans who have received their education in the Common Schools of this country, and I ask who ever went to a Common School to receive religious instruction? I venture to say that the idea is perfectly novel. But do we mean to say, that because no religion is taught in these Schools, that they are irreligious? Far otherwise. Now the Rev. Gent. has said—with all his professions of kindness he has said that religion is below par in the Public Schools; at an immense discount. Now is it so? He argues ingeniously that if they are not taught the doc-

trines of some known sect, there is no religion. Why, Sir, we have been taught sound morals in all our Schools; I do not know any school in which they have not been taught; I do not know a mechanics' shop where the young American or Irishman goes to be instructed in the trade of a cabinet maker or blacksmith, where he is not bound to be of sound morals. This obligation prevails every where—it is a thing which everybody acknowledges. We are bound to teach it. "Thou shalt not lie; Thou shalt not steal; Thou shalt not bear false witness," are precepts which we teach in our Schools. Who ever heard to the contrary? And if we are bound to teach them, we are at liberty to teach those general religious truths which give them sanction. I should like to know where there is a School in which the master is not at liberty to say; "God's eye sees all you do; and if you steal, or lie, the retribution of eternal judgment will follow you. This is not teaching religion. This is morality, and an invoking of the common sanctions of that morality. Sir, it has been said of these Schools that they do not teach this. Why, if the gentlemen had visited the Schools, and I am afraid they have not, they would have seen, if their eyes had been properly directed, mottoes of this kind, "God sees and knows all our thoughts, words, and actions. "God sees all we do; he hears all we say; he knows all we do. "Son reverence thy parent." And yet, gentlemen, we don't teach religion; we don't teach purgatory; we don't teach Baptism or no Baptism; we don't teach anything that is disputed among Christians. We have no right to do so: but we have the right to declare moral truths, and this community gives us that right—not the law, but, as my friend says, public sentiment.

And is there no common principle in which all agree? Is there not a principle to which all religious men refer? And have not we the right, thus far, to teach the sanctions of morality in these Schools? And because we teach the principles which every body acknowledges, and no man disputes—which give offence to nobody, and ought not, are we to be told that these are religious Schools? Why in our Common Schools we have all been taught the common truths of religion, and yet no one ever went there to receive religious education.

Mr. Chairman, while in these common, established schools, we give the rudiments of an ordinary education—while we teach there to write and cipher, and read the newspaper, and discharge the duties of citizens, while this is done, there is another department in which religion is taught. We all know it—we all feel it; and while the legislature can go to any extent to advance man in one department, that of common elementary learning, there is another, which is left to religion, where the pastor takes the children, where the Christian parent takes the children, where the benevolent Christian takes the children to his Sunday School or elsewhere, and brings them under the influence of religion. This department is supplied by voluntary contribution, and not one dollar can be paid by public tax. Now I do maintain, sir, that I speak of a line so clear, so broad, that every man who hears me, who has had the good fortune to receive an education in this country, will understand it; a broad, clear, and distinct line between secular and religious education. One is received under the influence of a religious teacher; that religious teacher gets his pay by the voluntary contribution of willing hearts; he dares not get it anywhere else; he does not want to get it in any other way. The other can draw on the state for any amount that the people in their sovereign capacity may determine.

We thus undertake in these Public Schools to furnish this secular education, embracing as it does, not solely and ex-

clusively the common rudiments of learning, but also a knowledge of good morals, and those common sanctions of religion, which are acknowledged by every body. We have established such a system, and the question is, whether that system shall be destroyed and a new one established. That is the question. This system is known and understood; it has spread its schools all over our city; it is under one government; children removing from one Ward to another find in each the same schools, are accommodated with the same books, meet with, and are instructed under the same uniform system. Now shall it be continued or not? Mr. Chairman, if the prayer of this petition be granted it must be abandoned. I can show you this in a few minutes. Does the reverend gentleman suppose that he alone would be permitted to take this fund? Does he imagine that the various Protestant denominations will stand by, and look on, and see him draw ten, twelve, or fourteen dollars a child, for its education, and the making it—for it would be so—that would be the result after all—not only a fair scholar, but a good Catholic. Does he suppose he is going to have that business to himself, and that other reverend gentlemen are going to stand by, and build up no schools? It will not be as in former years, as the reverend gentleman conjectures, for then the bounty of the State was small, then only two dollars a head, or something of that sort, could be drawn, and the Lancasterian system was not introduced; then there was no inducement offered to the religious bodies; but with this large bounty the Presbyterians, the Episcopalians, the Baptists, and our friends the Methodists, who are it seems such naughty people, will have their schools, and they will have them well filled too; and not only filled with the children of their own disciples, but they will have an inducement to bring in others, because the more they draw in, the more money they will draw, and the consequence will be that the system of Public Schools will be broken up. Now the consideration which I wish to bring to your mind is, whether the new system will be as good or better than the old. It is the common sense way of acting not to desert that which has done well, that which has done good service, unless we see that we are going to improve by the change. What is the charge brought against this system of public school instruction? What is the charge? What is the objection? What is the system established for? It is to furnish a good, common, ordinary literary education—a good literary and scientific education—to instruct our children in the rudiments of literature and science. Now there is no charge—and I want this body to look at this paper in reference to that—there is no charge against the School Society that it has not performed that duty—that it has not given what it was bound to give—the rudiments of a good literary education—that it has not enabled the children to read, and write, and cipher, and furnished them with the elements of geography, so as to fit them to go forth and discharge their duties as intelligent citizens. There is no charge against the Society that it has not performed this. What then is it? Why it is this, that the Catholics, from conscientious scruples, cannot come in and participate in the advantages of the system. Their consciences forbid them to have their children educated in these schools. Now, Mr. Chairman, there is no man, I apprehend, that can have a higher respect for the rights of conscience, than he who now addresses you; but let us examine this matter, and with all respect for those whose claim we now discuss, I fairly and candidly ask, can a Roman Catholic have conscientious scruples against my learning his son to read, to write, to cipher, and the common elements of geography? Can it be? Is

it possible? Take a fair intelligent Protestant, and is it possible that any Roman Catholic could object to that man instructing his children to read, write, and cipher? Why no; you might just as well say he has conscientious scruples against such a man learning his son "the art, trade, and mystery" of cabinet making in a Protestant shop. You may just as well say that he has conscientious scruples against placing his son in the office of a Protestant lawyer to study law. Why is it so in fact? Go into your fashionable schools and I ask you if there are not there as many Catholics, as of other sects? I think I have in my eye those, among the petitioners themselves, who send their children to Madame this or that, who is a Protestant; and there are many Protestants here, who send their children to the Schools of Catholics; and in doing this, they consider themselves as compromising nothing, for there is no religion taught there. These considerations, which so press on the minds of these conscientious petitioners for the hardship endured by the parents who send their children to public schools now, are not appreciated in their own case when they send their sons to Columbia College, or to the Schools of Protestant Mrs. Smith, or some other lady. Well now, Mr. Chairman, if there be no conscientious scruples at all, against employing Protestants to teach their children to read, and write, and cipher, on what can their conscientious scruples rest? It has been said, (but I will not read the passage, because the commonly understood meaning of it has been disavowed,) that the children that go to these schools do not reverence their parents, and that they feel a contempt for them, as though a special influence had been used by which they were led to do this. Now, I supposed, until it was disclaimed so explicitly, that this had an application to the gentlemen of the Society of Friends. But the Reverend gentleman has disavowed it; and he ought to do so, for I can tell that gentleman, that the Friends never perhaps in a single instance, sent or permitted children of theirs to go to these schools. They educate their own poor, and they ask the state for no participation. They do not send their children there, and I venture to affirm that, of the numerous children that go to those schools, not one attends the public ordinances of religion according to the mode established by the Society of Friends. And I will go farther, and say, of those who are educated there, none are converted to their faith. Whatever may be intended here, or elsewhere, it may be asserted, with perfect confidence, that those individuals make no proselytes, and also it may be said, that they have kept their people from being teachers, fearing such accusations as are made against them by the Rev. Gentleman.

And, Mr. President, if it is alleged, and I understand it now to be disclaimed, that the course of education begets irreverence to parents, I can only say they who affirm it speak of that which they do not understand.

If they had gone to these schools they would have seen what care is taken, what sound moral principles are inculcated, and they would then never have made this charge. But it is now disclaimed, and it is not for that reason, then, that they have conscientious scruples. But what else is there? It is affirmed that some of these books contain passages reflecting on Catholics. Now I submit to the candour of the gentleman, and of every one that bears me;—because the books, containing numerous extracts from numerous authors, collected together for the use of these schools, contain a few passages which I may conceive reflect on me or on my religion, or on my politics, is that a good reason why I should have conscientious scruples and objections against the entire system? Let us see where it would lead. Here is the Catholic, in turning over perhaps

a thousand pages, finds some fifty lines that reflect on his religion. I venture to say the Calvinists, on turning over those pages would find something reflecting on them. I have not made the experiment, but I have no doubt that would be the result. Then comes the High Churchman, and if he does not find something there bearing on his peculiarities, I am mistaken. Then there are the Methodists, and if they do not find something there bearing on what people call their fanaticism, it is extraordinary. Then there is the Politician, and there may be something extracted from Jefferson used in these schools, and to this, a certain class of politicians may say; I cannot have my children taught Jeffersonianism. Well then there is my particular, worthy friend, Daniel Webster, who may have contributed something to the pages of these books, and a Democrat, who takes up the books may say I cannot go Webster any how; I must have that expurgated. Now if all men must go on in this way, and conscientiously object to the system because in the reading lessons they find some passages against their religious or political opinions, the whole of the books will be expunged. I do not mean to reflect on the conscientious scruples of any man, but I ask if we are not bound to take hold of this system in a fair and candid manner. We must have a public system; and it is impossible to have a public system to which some man may not have scruples and objections. Well, sir, but what next? Why, the Bible. I believe a chapter from the Bible, the Protestant translation, without note or comment, is read in some of these schools at their opening every day. Shall we give up this Bible, Mr. President? It would be a very hard thing. I have no authority to say how far the trustees can go, or will go, in a spirit of compromise, with an earnest desire to get in these children; but I am here to say that it will be a great sacrifice to give up the Bible—to give up that translated Bible,—containing, as we believe, and as, I doubt not, a great part of Christendom believes, not only a fair translation, but a vast fund of pure English. It will be hard to give up that Bible, sir. It has furnished consolation in life and hope in death, to many. The institutions of liberty and the altars of piety have sprung up in the path of that translated Bible; and wherever that translated Bible has gone popular institutions have risen. All those glorious principles, which, here in this country are so conspicuous, have come from that Bible; and wherever that translated Bible has been kept from the hands of the laity there has been darkness and despotism.

We, sir, have a Declaration of Independence of which we are proud, because it contains those great principles of liberty which are found in the Bible. Yes, sir, there lies beyond that Declaration of Independence, a book whose principles are a Declaration of Independence to man; and wherever that book is read man finds out his rights and is willing to assert them.

Mr. President, and gentlemen of the Board, it is in your hands. It is at present in the hands of these Trustees, but it is a very delicate trust. We are called upon to give up that Bible. I am not the man to say that it can be done, and I believe if this is necessary to a compromise, we shall have to say, "No Compromise." We cannot give up that Bible from our own hands and the hands of the children of this Republic. Mr. Chairman, we must go a little farther. Suppose we did now give up the Bible, and make a common selection from the two translations—the Catholic and our own—suppose we made a common selection about which we all agree! Why, gentlemen, such a compromise was made across the water,—that compromise was agreed to by a majority of the Irish Catholic Bishops, but

the minority appealed to the Pope. Now the gentleman is mistaken if he supposes I am capable of appealing to any prejudices improperly, but he has not denied this fact; and I expected it would have been denied or some how explained, how such an appeal was made from that country. Sir, such an appeal might be made in this country; and if so, in all candour I ask whether it does not belong to a foreign Potentate to say whether the Bible shall be read in our Common Schools? I ask if they can escape from that position? I want an answer to that question. And if there be a foreign power, spiritual or otherwise, to say that the Bible shall not be read, I ask if that power may not say that the Constitution and the Declaration of Independence shall not be read? I mean no reflection. This matter has come out in evidence here, and I draw from it what may be supposed to be legitimate conclusions. The gentlemen opposite may smile, but I ask if they can escape from these conclusions. I know there are many of the Catholic laity who are Americans by birth, and many by adoption, who would settle that question very soon. Though the mitre may be placed by a foreign power, on the head of him that wears it, I know there is a feeling in the American bosom—be it Catholic or Protestant—that will not allow a foreign Potentate either directly, or indirectly, to interfere. Now, Mr. President, I have got through all I propose to say on this subject, and again I put it to you, shall we not have the privilege to learn our little fellow citizens to read, and write, and cipher, and to teach them the common elements of Geography and History? Shall we be prevented by a conscientious scruple? Mr. Chairman, I feel a strong desire that both Protestants and Catholics should be brought into the same schools, and I see in such a circumstance, great and wholesome, and beneficial political results. When a stranger comes here from a foreign land, where he has been oppressed, I am willing to grant him an asylum, and to say that he shall have all the benefits of this land, and of our Constitution; and that if he has been oppressed, that he has come to a country where he shall be oppressed no more. All I ask is that he shall give America his heart. If he comes with an Irish heart, let it become an American heart; let him stand by America, and by her children, enjoying the same rights as they enjoy, and growing up with them, amalgamate with them, and interchanging the same kind and benevolent feelings together. That is what I want. I want to see the country from which he came second in his regard to the land of his adoption, to the land of his children, and I want those children so brought up that when they become men they shall have pure American feelings. I hope, sir, they will not be taught that we entertain the same feeling here that orangemen, and Protestants, entertain in Ireland. We are not unfriendly to them; our children are not their enemies; let us then grow up and amalgamate together. I dislike any system that would cast off from American ground these children of foreign countries; and I ask the gentleman if they cannot come in and place their children side by side with ours, and let them feel that in the Schools there are no partialities, and that out of them they may go to their own church and bow before their own altar. But for civil purposes let all be brought up together.

Mr. Chairman, there is another very plausible argument presented here. They tell you in their memorial that they will engage to give as good an ordinary secular education as the public Schools can give for the same money. They propose to allow their Schools to be visited by the public authorities, or by the Trustees themselves, and to place

them under some general supervision. Now there are two ways of insuring the fidelity of Trustees, in directing the object of a public trust towards the end designed; one is by supervision, and the other is by so creating the trust, as to insure, by its organization, the requisite fidelity. The latter I prefer. Here is a religious society whose paramount purpose is religious instruction; if to that be superadded a literary education it will be subordinate to the other as it ought; its constant tendency will be to neglect the literary education for the purpose of promoting the other, and therefore, the object of the legislature will most likely be neglected.

But here is the Public School Society, created for one single purpose—and that is, education; for that it is organized, and to that end all its operations tend. But if it had two objects in view, the paramount one would be that which would receive its chief attention; the other and subordinate one would receive less. If you entrust this business of education to a Religious Society, religion will be paramount and literature will be subordinate. Let that subordinate one be paid for by the state, and it would be in their case if they had no other object. But gentlemen the question is, will you desert the Public School Society, and take up this New Society? It has been said that the Public School Society is a monopoly. In the country the Trustees are chosen by the people, but in this city, owing to its peculiar organization, the matter is left to the superintendence of benevolent individuals who are voluntary agents. They receive no compensation for their services, and experience has shown that the duties have been better discharged by that system than by any other. You may go to the Schools in the state and examine the most favourable ones; then visit the Schools in this city, and the education in our Schools will be found superior to that in the Common Schools elsewhere.

This society is called a corporation; but it is a corporation which is bound by law to report all its proceedings every year to this council, and at stated times to the Legislature. It is a corporation of which the members of this board are *ex officio* members. It is a corporation which has control of a great fund, and it has for its end the good of the state; but it is willing that its real estate shall be transferred to this corporation whenever the public good requires it, and to this end an offer has long since been made and is now repeated. But if we are to have this Common School system of education, I ask, if it is not better to have it under the supervision of men of business, and of high character, who are willing to devote their leisure to its interests? I wish to call your attention to another subject. This fund is a large one; \$73,000 is from the state and compulsory taxation; in the country, as explained by my associate, a certain sum is granted by the state on condition that an equal sum is added to the School Fund, by a tax laid on the people themselves who receive it. But independent of that, our citizens came and asked to be taxed something more, and that amount is more than the other two. But it must be recollected when this request to be permitted to tax themselves still farther was made, it was settled and determined that the churches should be excluded. When that was settled and the Schools were mainly under the supervision of the Common School Society, that society got up petitions for this additional taxation, and because confidence was placed in that society the taxation was not opposed. Now if we revert back to the Common School System, this must come back too; for I affirm, that the chief consideration which induced the petitioners—and they were men of great property among them—to sign the petition asking to be taxed for

the purposes of education, was that the School Society was to have the superintendence. The sum of \$73,000 was thus raised because confidence was reposed in the School Society, as antagonistic of those Church Societies.

Now perhaps the gentleman may ask, if the system is to be changed, that we should resort to the same course as is pursued in the country, where the people elect their own commissioners and trustees. But if we do, the schools must be governed on the same principles as these, and the only difference will be in the managers. And if it is to come to that I am sure these Trustees will be very willing, for it is to them a source of great vexation to be compelled to carry on this controversy for such a period.

They are very unwilling to come here to meet their fellow citizens in a somewhat hostile manner. They have nothing to gain, for the society is no benefit to them, and they give days and weeks of their time, without recompence, to the discharge of the duties of their trust. They have nothing to gain, but they have arduous duties to discharge; nor have they anything to conceal. They report everything to this Common Council; and therefore, the public know all they do, and if they are not found faithful to the trust, if in the solemn judgment of this corporation they do not answer the end proposed, elect others in their place, and if the prayer of this petition be granted it will be equivalent to their arraignment. I know not that I can add anything more to my argument. It has been my fortune during the last eighteen years, from time to time to argue this question before other boards who came to a unanimous decision, and at the very time when the question was referred to the Legislature the petitioners were supported by a Rev. Gentleman of the highest respectability of that day, and by lay gentlemen of great talent. We had the discussion here until eleven and twelve o'clock at night, and the gentlemen of the Common Council—men of great respectability—denied the prayer of the petition and the public sustained them in their decision. Our Roman Catholic friends come now with the same principle that was decided then, and I hope, Sir, the prayer of the Petitioners will not be granted.

The Rev. Dr. BOND then appeared as the representative of the Methodist Episcopal Church, but he gave way to

The Right Rev. Bishop HUGHES, who desired to make a brief reply to the two legal gentlemen who had addressed the board. He said, I have a few remarks that I wish to make, partly in reference to myself and partly to my principles, and the views submitted with regard to those principles; but the debate has taken a range too wide and too legal for me to pretend to follow it throughout. I am not accustomed to the niceties of legislation or the manner of interpreting statutes or acts of the Legislature, but to sum up the whole of the two eloquent addresses made by the gentlemen who have just spoken, they amount to this, that either the consciences of Catholics must be crushed and their objections resisted, or the Public School System must be destroyed. That is the pith of both their observations. They argue that there must be either one or the other of these two results, and those gentlemen are inclined to the course of compelling conscience to give way, they being the judge of our consciences which they wish to overrule; so that the Public School Society—and I do not desire to detract from it as far as good intentions are concerned—shall continue to dispose of the Public School Fund notwithstanding our objections and the reasoning on which they are based. The gentleman who last spoke, appeared to imagine that I wished the exclusion of the Protestant Bible, and that, for the benefit of Catholics, I laid myself open to the charge of enmity to the word of God; but I

desired nothing of the sort. I would leave the Protestant Bible for those that reverence it; but for myself, it has not my confidence. Another objection which he made, was of a personal character to myself; but while that gentleman started with the beautiful rule of charity to others, and with a lecture on the propriety of retaining our station in life, and the impropriety of the public appeals of which he was pleased to speak, I regret that his practice was not in accordance with his precept—and that while he was lecturing me on the subject, he himself should have gone beyond any thing which proper discussion called for. If I attended those meetings it was because I felt the evil of the present system as regards us—not its evil as regards others; and we must be permitted to be the judge of our own duties, and to see for ourselves while we accord to others the same right for themselves. I beg to disclaim any intention to overrule this community or to bring any thing from Rome, except to those who believe in its spiritual authority. Consequently all those remarks of that gentleman have been out of place; and for the rest I conceive the true point has not been touched. Not one of our objections or scruples of conscience has been undertaken to analyze, nor the grounds on which they exist. When I gave those reasons for our objections, I thought some argument would have been urged *fairly* against them, but the only end the gentleman appears to have in view, is the preservation of the School Society, and to maintain that they have a patent right to the office. That I know is his object; but I did not expect to hear any man construing the law as that its advantages cannot reach us unless we lay down and sacrifice our consciences at the threshold. I have spoken for myself, and I have disclaimed all high-handed objects; but the gentleman insists notwithstanding the pledge which we have given, that in spite of all, we shall teach our religion. I disclaim such intentions, and I do not think it fair in that gentleman to impute intentions which we disclaim. The gentleman has drawn a beautiful picture of Society if all could live in harmony, (I would it could be reduced to practice,) whether born in foreign parts or in this country. But if all could be brought up together—if all could associate in such a state without prejudice to the public welfare while the Protestants use such books as those to which we object, it could only be by the Catholic concealing his religion, for if he owns it he will be called a "Papist." The gentleman says that one of the books to which we object is not a text book used in the Schools; but, if not, it is one of the books placed in the library to which I do not say we contribute more than others, but it is supported at the public expense, to which Catholics contribute as well as others. I will read you one passage and leave you to judge for yourselves what will be its effects on the minds of our children. The work is entitled "The Irish Heart," and the author at page 24, is describing an Irish Catholic, and he says:—"As for old Phelim Maghee, he was of no particular religion."

And how the gentlemen describe the Public Schools, but as Schools of religion and no religion. They say they give religious instruction; but again they say it is not religion, for it does not vitiate their claim.

"As for old Phelim Maghee, he was no of particular religion."

"When Phelim had laid up a good stock of sins, he now and then, went over to Killarney, on a Sabbath morning, and got *relauf* by confessing them out o' the way, as he used to express it, and sealed up his soul with a *wafer*."

That is the term they apply to our doctrine of transubstantiation, and they want us to associate and to enjoy every thing in harmony when they thus assail our religious right.

"—— and returned quite invigorated, for the perpetration of new offences."

Now, suppose Catholic children hear this in the company of their Protestant associates! They will be subject to the ridicule of their companions, and the consequence will be that their domestic and religious attachments will become weakened, they will become ashamed of their religion, and they will grow up *Nothingarians*.

But again, on page 120, when speaking of intemperance, we find the following:—

"It is more probable, however, a part of the papal system."

And this, notwithstanding all that Father Matthew has done.

"For, when drunkenness shall have been done away, and with it, that just, relative proportion of all indolence, ignorance, crime, misery, and superstition, of which it is the putative parent; then truly a much smaller portion of mankind may be expected to follow the dark lantern of the Romish religion."

"That religion is most likely to find professors among the frivolous and the wicked, which by a species of ecclesiastical legerdemain can persuade the sinner, that he is going to heaven, when he is going directly to hell. By a refined and complicated system of Jesuitry, and preactical juggling, the papal see has obtained its present extensive influence through the world."

And unless we send our children to imbibe these lessons we are going to overturn the system! But is that the true conclusion to which the gentleman should come, from our petition? Is that reasoning from facts and the evidence before their eyes? I have promised not to detain the board, and therefore, I would merely say, if I have attended those meetings it was not with the views the gentleman has imputed to me, nor to distinguish myself as has been insinuated. I have taken good care to banish politics from those meetings, and if I have mentioned the number of Catholics or of their children, it was to show how far this system falls short of the end which the Legislature had in view. I disclaim utterly and entirely the intention imputed to me by the gentleman, but I will not longer detain the board.

Mr. MOTT, one of the Public School Trustees, with the permission of the board, explained the manner in which the book which the Right Rev. prelate had last alluded to, had found its way into the Schools. It was one of a series of tales published by the temperance society; and when a committee was appointed for filling the library, their attention was called to the first number of the series: they read two or three of them which had come from the press, and as they appeared to be adapted to the reading of children the committee admitted them, and by some mistake it was supposed that all the other volumes of the same series and under the same title were ordered too, and they were sent in as they issued from the press after that period, and in this way the book in question had crept in. But this being discovered by a Catholic trustee, it was withdrawn, and of this the gentlemen were fully apprized, and therefore he asked if it was generous or just to quote that book, under these circumstances, to strengthen the cause of the Catholics.

The Right Rev. Bishop HUGHES assured the gentleman that he, until that moment, had not heard of the book having been withdrawn.

The Rev. Dr. BOND then again rose to address the board as the representative of the Methodist Episcopal Church, but as it was now ten o'clock, it was proposed by one of the aldermen to take a recess until Friday afternoon at four o'clock, which was agreed to, and the board adjourned.

## SECOND DAY.

The Board re-assembled at four o'clock on Friday the 30th October, by adjournment from the previous day, but some time elapsed before the debate could be resumed in consequence of the difficulty which the gentlemen who took part in the proceedings, found in gaining an entrance to the Council Chamber through the greatly increased crowd of persons who were anxious and struggling to be present. After the room had been filled to overflowing, many hundreds were still excluded who desired admission; but the room was filled to its utmost capacity, even to standing room in the windows, and those still crowding round the entrance door were obliged to endure the disappointment. DAVID GRAHAM, Esq. Alderman of the Fifteenth Ward, presided on this occasion as the *locum tenens* of the President, Mr. Alderman Purdy, who however was present seated with the Aldermen. There were also present many distinguished and Reverend gentlemen of various denominations of this City, besides those who took part in the discussion. Dr. Brownlee was seated near Dr. Bond during that gentleman's speech, but he did not attempt to address the Board.

The Rev. Dr. Pise and other Reverend gentlemen of the Catholic Church, were seated with the Right Rev. Bishop Hughes and the Very Rev. Dr. Power, and many preachers of the Methodist Episcopal Church, were in the vicinity of the orator by whom they were represented.

When all the gentlemen were seated, the President called upon the Rev. Dr. Bond, of the Methodist Episcopal Church to proceed with the debate on behalf of the remonstrants of that body.

The Rev. Dr. BOND, spoke as follows:—

MR. PRESIDENT AND GENTLEMEN OF THE COMMON COUNCIL,—It may be necessary here, in the outset, that I should, on the part of those that I represent, disclaim all hostility to our fellow citizens who have made their claim to this Council. To them we have no hostility, nay we have no prejudice against them as a body, and of any hostility that may be found in the memorial which we have presented to this body, the address of the Right Rev. gentleman who opened this discussion last night, will furnish us with a thorough explanation, for when he adverted to that part of his memorial which related to the Society of Friends, he wished it to be expressly understood that he spoke of their creed apart from themselves. Now this is the explanation we wish to make of our memorial which we have presented to this Council. We speak of the creed of the Roman Catholic Church apart from the Roman Catholics themselves. We are bound, not only by the obligations of social life, but by our common Christianity to extend to them all the benevolence which we think ought to be exercised towards any other portion of our fellow citizens. It may be asked why we adverted to their creed at all. Because it was wholly unavoidable. We could not do otherwise, because it was on its peculiarities that they rested their claim to a portion of this Fund—it was on their peculiar creed that they rested their scruples against sending their children to the Public Schools. We could therefore, no otherwise, resist their claim but by adverting to those peculiarities. And it is complained that we adverted to them with too little respect. Now sir, we must be allowed to say that whatever there is of disrespect to our Roman Catholic fellow citizens in this memorial, they must

allow something for the provocation. Sir, we had esteemed the Public Schools a common benefit, and we had made sacrifices to the system. We too should have been glad if we could have educated our children in our own way, and in our sectarian tenets, or prejudices if you will; but when we found the legislature providing an education that should be universal, we brought all our sectarian feelings and placed them on the altar of the public welfare. And when we found the Public Schools which we esteemed so great a good, about to be destroyed by the sectarian prejudices of another denomination, we were alarmed, and we stated in our memorial that we were alarmed; and was there no cause for alarm? Why the public gatherings which were so feelingly alluded to last night, were cause of alarm? Was there not cause for alarm when, at a time of general excitement and political strife, there were these gatherings of the Catholics,—and was there not cause to fear that their object was to wrest from the Common Council by intimidation, what they had failed to obtain by reason and argument? Such were our fears; but really sir, the complaint of want of respect in our memorial, is wholly out of place. Why, the gentleman reminds me of a man who while deliberately skinning a living eel, cursed the "varmint" because it would not hold still. Why, sir, this skinning is a serious matter; I hope, however, that we shall be allowed the apology which the Right Rev. gentleman made for himself and for those associated with him when speaking of the Society of Friends and their creed—

The Right Rev. BISHOP HUGHES interposed and said he had not spoken of the *creed* of either the Society of Friends or of the Methodists: he did not suppose this body was sitting in judgment on creeds.

The Rev. Dr. BOND continued. I admit that when the Reverend gentleman spoke of the Society of Friends, he did not speak of them by name. Well, but the Right Rev. gentleman says,—and he contends it has an important bearing on this matter—that we have made a false issue—that we charge that the applicants require a portion of this public money for sectarian purposes, and this he says is "a false issue." If this be true, it will have an important bearing on the question; but we affirm that it is not a false issue: it is the true issue; there can be no other issue. It will be remembered sir, that we have only now to justify what we have alleged in our memorial; we are not going into the merits of the legal part of the question, for we are not of the legal profession; and after what we have heard from the legal gentlemen in this discussion, it cannot be expected. But we do affirm that the issue we in common with the Trustees of the Public School Society plead—that this money is applied for, for Sectarian purposes—is the true issue. How do we prove it? It has been one leading objection to the Public Schools, that no religion is taught in them. Well, it is also alleged that no religion can be taught there, unless we teach sectarianism. Now if it be complained on the part of our Roman Catholic fellow citizens that no religion is taught in these schools, surely they don't mean to keep schools in which they will teach no religion. We take them to be honest in what they say, and I hope that is not "a false issue." They allege that no religion is taught, and that none can be taught without teaching sectarianism. Now we take it for granted, that they will not keep schools in which no religion is taught, or why do they object to the Public

Schools? And if they teach religion, it must be sectarianism, for they themselves allege that no religion can be taught without teaching sectarianism; and if so, then will not the public money be used for sectarian purposes? There is only one way to escape from this position. What claim may be set up here, I know not, but elsewhere it is alleged, that they teach the Roman Catholic Religion, and that is not sectarianism; inasmuch as it is the only true Religion.

This may be a salvo for them but it is not for us. They will not expect that other denominations will admit that the Roman Catholic is the only true religion, and that it is not sectarianism. But if they do, and if they still say that theirs is the only true church,—and if they, only a branch of the common stock—only one of the many sects of our common Christianity, teach Catholicism there, they teach sectarianism as much as Methodists would do if they had, one of these Schools in which they taught Methodism. And if they teach Catholic sectarianism to their children, will not the money they claim, if allowed, be applied to sectarian purposes? This is all we said, sir, and is this "a false issue?" We say it is the true issue; there can be no other issue, for there can be no possible objection to this conclusion. So much for "the issue," sir.

But it was complained, sir, that we have said the arguments by which their application on a former occasion was resisted, were "clear, cogent, and unanswerable." We grant that this is a matter of opinion; we say when we read them in the memorial of the Trustees of the Public Schools, we thought them clear, cogent, and conclusive; but we accord to the gentleman the right to form his own opinion, and can he complain if we claim the same privilege which we accord to him? But it was complained that we had alleged that "neither the constitution of the State, nor the public welfare, are to be regarded, when they stand in the way of Roman Catholic sectarianism and exclusiveness." Why, is it not on the ground of Sectarian exclusiveness that they make this claim? I take it for granted that if they cannot conscientiously send their children to the Public Schools, their conscientious objection is founded on their creed. There is something of peculiarity in their creed, for they alone of all the denominations, have scruples on this subject; and we did not then intend to give offence by the term sectarian exclusiveness. But again, it is complained that we alleged that "It must be manifest to the Common Council, that if the Roman Catholic claims are granted, all the other Christian denominations will urge their claims for a similar appropriation, and that the money raised for education by a general tax, will be solely applied to the purposes of proselytism, through the medium of sectarian schools." And can any thing be clearer? Indeed the gentleman does not take particular exception to this. "That the money raised for education by a general tax will be solely applied to the purposes of proselytism!" Why, if they are honest in their prejudices for their form of worship, and if they believe their own religion the best, they will endeavor to impart their own views and all the principles which they advocate to those they take under their own care. And what is this but proselytism? The word is not used offensively for we only mean by making proselytes, the making converts to their own faith. But we had said "If this were done, would it be the price of peace? or would it not throw the apple of discord into the whole Christian com-

munity? Should we agree in the division of the spoils? Would each sect be satisfied with the portion allotted to it?" Is there any thing offensive in this question? Might we not honestly differ respecting the amount appropriated to us severally?

"We venture to say, that the sturdy claimants who now beset the Council, would not be satisfied with much less than the lion's share and we are sure that there are other Protestant denominations besides ourselves, who would not patiently submit to the exaction."

And this has been spoken of sir, by the Right Rev. gentleman as though we had threatened a rebellion! Is it necessary that we should stir up rebellion to carry out all we said? We only said "we are sure that there are other Protestant denominations besides ourselves, who would not patiently submit to the exaction." Have the Catholics submitted patiently to what they consider a grievance? Certainly not, for they have reiterated their claim again and again with a perseverance, which in a good cause is praiseworthy. But we did not say we would rebel; we said we would not "patiently submit," nor should we be patient until we obtained a legal remedy. But we have said "when all the Christian sects shall be satisfied with their individual share of the Public Fund, what is to become of those children whose parents belong to none of these sects, and who cannot conscientiously allow them to be educated in the peculiar dogmas of any one of them?" The different committees who on a former occasion approached your hon. body, have shown, that to provide schools for these only, would require little less than is now expedited; and it requires little arithmetic to show that when the religious sects have taken all, nothing will remain for those who have not yet been able to decide, which of the Christian denominations to prefer. It must be plain to every impartial observer, that the applicants are opposed to the whole system of public school instruction." Now the gentleman admits it—he says it is obviously true, that when all is taken nothing would remain. And would not the sects take all? Who else would there be to take it? And when they had taken all, nothing would remain. But we have alluded to a large body who would remain to be educated, when we have no money left for that purpose. Our Roman Catholic brethren claim to be one-fifth of the population. We shall not dispute this. But when the Right Rev. gentleman alluded to the statement that six Catholic teachers were employed in the Public Schools, he disputed five out of the six, and said that there was but one that deserved the name. Now if you take these six teachers as a fair sample of this one fifth of the population which is nominally Catholic, how many would be left that are really Catholic? and how many would on similar principles of calculation really belong to any of the other sects who profess to belong to them? But again, allowing that all are Israel that are of Israel—that all are Christian that profess to be Christian—what portion of the City of New-York is there that professes to belong to any sect at all? Not one half I am sure. Well what becomes of the children of those who belong to none of these sects? When the money is distributed among the sects "what is to become of those children whose parents belong to none of these sects and who cannot conscientiously allow them to be educated in the peculiar dogmas of any one of them?" Now, sir, the Committees of the Public School Society expressly tell us, that it would require little less than the present appropriation to provide for these only, and why? Because the expense of tuition is not in proportion to the

number taught. When you have provided what is necessary for a given number, a great addition may be made without augmenting the expense at all; and thus a great expense will be incurred for those who are of no denomination. But we shall advert to this hereafter.— Sir, particular exception has been taken to our memorial, and the gentleman did us the honor to take it up *seriatim*, paragraph by paragraph; and therefore it may be requisite that I should thus follow him. I now then pass to another of the condemned passages which it contains:—

"We are sorry that the reading of the Bible in the public schools, without note or commentary, is offensive to them; but we cannot allow the holy scriptures to be accompanied with *their* notes and commentaries, and to be put into the hands of the children, who may hereafter be the rulers and legislators of our beloved country; because, among other bad things taught in these commentaries, is to be found the lawfulness of murdering heretics; and the unqualified submission in all matters of conscience to the Roman Catholic Church."

Sir, we confess if we march to our object, it must be by a plain road. We are a plain people, but we compromise nothing on the subject of religion. The Right Reverend gentleman denied that such are the contents of their books, and to confirm his opinion, he offers to bet me a thousand dollars. Sir, the Right Reverend gentleman must excuse me. He tells us our religion is a young religion. Be it so sir, but our Church is old enough to teach us the sinfulness of betting. Sir, I have been taught, as one of the primary principles of morals, that it is sinful to take my neighbor's money without an equivalent. Now, should I accept the gentleman's offer and cover his thousand dollars, he, or else I, should take the money of the other without an equivalent. It may be conformable with the creed of the Right Rev. gentleman, but he must allow me to have my "conscientious scruples," and I shall accord the same to him. But if I do not take up his bet I will try to do better. We have said in our memorial that their commentaries teach the lawfulness of murdering heretics. That is the first step. Now we are bound to sustain this; at least we are bound to show this Common Council on what authority we state this. We are bound to submit our authority to the Common Council, and then any gentleman will be able to make up his own mind on the subject. I hold in my hand, sir, what is called "The Rhenish New Testament," and it is proper that I should here say, that we have not said in our memorial, that these Catholic Commentaries have received the sanction of the proper authorities of that church. We said no such thing. We said Catholic Commentaries, and I know of no Commentaries among Protestants, that have received the sanction of a Protestant Church; and yet, do we not call them Protestants in contradistinction to Catholic Commentaries? All we have then to prove, is this, that this Rhenish New Testament is a Catholic New Testament, written and published by Roman Catholics, and with such sanctions as ordinarily obtain among the proper ministers of the church. It may be alleged that it is necessary to have the sanction of His Holiness, or the Council; but all I contend for, is, that it has been circulated among Catholics, that it was translated for that purpose, and is therefore a Catholic Commentary. That is all we contend for. We do not insist that the Right Rev. gentleman, or any Church Council, or His Holiness himself countenances it. We could not summon His Holiness to testify on the subject; but in order to ascertain the weight of the historical record of that church, we

must take it as it is received by the church itself. Now this book—the Rhenish New Testament says:—"

"The Douay Bible is usually so called, because although the New Testament was first translated and published at Rheims, yet the Old Testament was printed some years after at Douay; the English Jesuits having removed their monastery from Rheims to Douay, before their version of the Old Testament was completed. In the year 1816, an edition, including both the Douay Old, and the Rhenish New Testament, was issued at Dublin, containing a large number of comments, replete with impiety, irreligion, and the most fiery persecution."

The Right Rev. Bishop HUGHES. From what do you read?

The Rev. Dr. BOND. I read from the second paragraph of the "Introductory Address to Protestants," of an edition of the Rhenish Testament published in New York. It is attested by gentlemen of the highest reputation in this country—by men that will compare in character with any gentlemen—Protestant or Catholic—in any country; and they insist it is a true republication of that New Testament which was published at Rheims in 1812.

"That edition was published under the direction of all the dignitaries of the Roman Hierarchy in Ireland; and about three hundred others of the most influential subordinate Priests. The notes which urged the hatred and murder of Protestants, attracted the attention of the British churches; and to use the words of T. Hartwell Horne, that edition of the Rhenish Testament printed at Dublin in 1816, "corrected and revised and approved by Dr. Troy, Roman Catholic Archbishop of Dublin, was reviewed by the British Critic, vol. 8, page 276—303; New Series; and its dangerous tenets both civil and religious were exposed."

"This publication, with many others of a similar character, produced so great an excitement in Britain, that finally several of the most prominent of the Irish Roman Prelates were called before the English Parliament to prove their own work. Then, and upon oath, with all official solemnity, they peremptorily disclaimed the volumes published by their own instigation, and under their own supervision and auspices, as books of no authority; because they had not been ratified by the Pope, and received by the whole Papal Church."

Now have we made any mistake in calling this a Catholic Commentary? It must be admitted we have some ground for it. And now for some of the "Annotations" to show the ground we have for alleging that they do teach the lawfulness of murdering heretics.

"And the servants said to him, wilt thou we go and gather it up?"

Mr. Alderman GRAHAM (Chairman.) Will the speaker give the page.

The Rev. Dr. BOND. The 44th page, and the 28th verse of the 13th chapter of Matthew.

"And he said, No; lest perhaps gathering up the cockle, you may root up the wheat also together with it."

Now for the Commentary.

"The good must tolerate the evil, when it is so strong that it cannot be redressed without danger and disturbance of the whole Church, and commit the matter to God's judgment in the latter day. Otherwise where ill men, be they Heretics or other malefactors, may be punished or suppressed without disturbance and hazard of the good, they may and ought by public authority, either spiritual or temporal, to be chastised or executed."

I quote from the 9th chapter of St. Luke, page 108.

"And when his disciples James and John had seen it, they said, Lord wilt thou we say that fire come down from heaven and consume them? And turning, he rebuked them, saying, you know not of what spirit you are."

Now for the "Annotation."

"Not justice nor all rigorous punishment of sinners is here forbidden, nor Elias' fact reprobated, nor the Church or Christian Princes blamed for putting heretics to death: but that none of these should be done for desire of our particular revenge, or without discretion, and regard of their amendment, and example to others. Therefore Peter

used his power upon Ananias and Saphira, when he struck them both down to death for defrauding the Church."

I quote from the 116th page, the 23d verse of the 14th chapter of St. Luke.

"And the Lord said to the servant, go forth into the ways and hedges: and compel them to enter, that my house may be filled."

Now for the Commentary.

"The vehement persuasion that God useth, both externally by force of his word and miracles, and internally by his grace, to bring us unto him, is called compelling: not that he forceth any to come to him against their wills, but that he can alter and mollify a hard heart, and make him willing that before would not. Augustine also referreth this compelling to the penal laws which Catholic Princes do justly use against Heretics and Schismatics, proving that they who are by their former profession in Baptism, subject to the Catholic Church, and are departed from the same after Sects, may and ought to be compelled into the unity and society of the universal church again: and therefore, in this sense, by the two former parts of the parables, the Jews first, and secondly the Gentiles, that never believed before in Christ, were invited by fair sweet means only: but by the third, such are invited as the Church of God hath power over, because they promised in baptism, and therefore are to be revoked not only by gentle means, but by just punishment also."

I quote from the Annotations of the 23d verse of the 20th chapter of St. John.

"The earthly Princes indeed have also power to bind, but the bodies only: but that bond of Priests which I speak of, toucheth the very soul itself, and reacheth even to the heavens: insomuch, that whatsoever the Priests shall do beneath, the self-same God doth ratify above, and the sentence of the servants of the Lord doth confirm, for indeed what else is this than that the power of all heavenly things is granted them of God?"

I quote from page 214, verse 11, chapter 25 of the Acts.

"I appeal to Cesar."

This is the Annotation.

If Paul both to save himself from whipping and from death, sought by the Jews, doubted not to cry for honor of the Roman laws, and to appeal to Cesar, the Prince of the Romans, not yet christened: how much more may we call for aid of Christian Princes and their laws, for the punishment of Heretics, and for the church's defence against them."

I quote from Annotations, on the 10th chapter of Hebrews 29th verse, on page 373.

Heresy and Apostacy from the Catholic faith, punishable by death."

I will make but one more extract and that is from the Annotations on the Apocalypse, or the book of Revelations, 17th chapter, 6 verse, page 480; it is in reference to the woman drunken with the blood of the Saints:—

"It is plain, that this woman signifieth the whole corps of all the persecutors that have and shall shed so much blood of the just: of the Prophets, Apostles, and other Martyrs, from the beginning of the world to the end. The Protestants foolishly expound it of Rome, for that there they put Heretics to death, and allow of their punishment in other countries: But their blood is not called the blood of the Saints, no more than the blood of thieves, man-killers, and other malefactors: for the shedding of which by order of justice, no commonwealth shall answer."

A friend suggests to me that I may also say the Rheinish New Testament is not found in the Prohibitory Index; but I do not assert that this is in itself conclusive, for there are, I must admit, thousands of books that are not forbidden, for which Catholics are not responsible. All we contend for, is this, that this book was published at Rheims by the Jesuits; that they subsequently removed to and republished it at Douay; since that it was republished in Ireland under the sanction of the Catholic Dignitaries and of a large number of the Priesthood of that church. But when it was found that this work had created great alarm in England, and these very dignitaries were called before the British Parliament, they did not say it had not their sanction, but they alleged that because it was not sanctioned by His Holiness, and had not

received the sanction of the Church, but was only circulated among and sanctioned by a small portion of it, the Church was not responsible for it, as it was not of Catholic authority. We have not said in our memorial, that it had the authority or was sanctioned by the church. We know of no translation into any vulgar tongue which has received the sanction of Pope or Council. The latin vulgate only has been so sanctioned. We only allege then, that this is a Catholic publication, or that it is published by Catholics; and that these are Catholic Commentaries. And we again affirm all we have said. We have moreover alleged, that "among other bad things taught in these Commentaries, is to be found the absolute and unqualified submission in all matters of conscience to the Roman Catholic Church." But as it has been admitted that the church has this authority with all who submit to that church, it is unnecessary to prove that the Commentaries teach it.

Sir, the next complaint was of the following paragraph:

"The Roman Catholics complain that books have been introduced into the public schools, which are injurious to them as a body. It is allowed, however, that the passages in these books, to which such reference is made, are chiefly, if not entirely, historical; and we put it to the candor of the Common Council to say whether any history of Europe, for the last ten centuries, could be written, which could either omit to mention the Roman Catholic Church, or mention it without recording historical facts unfavorable to that Church? We assert that if all the historical facts in which the Church of Rome has taken a prominent part could be taken from writers of her own communion only, the incidents might be made more objectionable to the complainants, than any book to which they now object."

Sir, the gentleman did not deny this, for, as I recollect, he said it was true—he admitted "that if all the historical facts in which the Church of Rome has taken a prominent part, could be taken from writers of her own communion only, the incidents might be made more objectionable," because they always write the truth. But then he alleges that they also record a great many good things. Certainly they have written "some good things," but it is not from these "good things" exclusively that history is to be written—it is not these "good things" that are to constitute history for the Public Schools. What is history? History is "Philosophy teaching by example;" and could we be taught by example if we only saw the bright side of the picture and not the dark side too? Could any such history be useful? If we see but a partial record, how can we avoid error? History is a beacon and a chart; but would it be so—would it be a proper directory if it contained only that which could be said in favor of any religious sect or denomination? Such a record would be worthless as a history. The blessed Bible does not do so. Does any history contain a more particular record than this Book does of the lapses and falls of the most eminent people of God? Does not the faithful page of the sacred historian, record the fall of David? Yes, sir, it records that that man—that holy Psalmist himself fell, being overcome by temptation, into the crimes of murder and adultery. Sir, it is a faithful history and I would desire that all our histories should record all the good of Roman Catholics, but they must record the evil also, or they are not histories at all. But we have said "History, then, must be falsified for their accommodation," and would it not be so if only that which was good of them were recorded? "And yet they complain that the system of education adopted in the Public Schools, does not teach the sinfulness of lying?" It may be painful to

pleasure, substitute this probationary relation, by one before any man, or any number of men, whether Pope or Council, or the Methodist General Conference. None of these can release us from our obligations as probationers before God. "To our own master we stand or fall." If the Methodist Episcopal Church had issued her mandate to me not to appear before this body, and not to oppose this application, I would have set her authority at nought. We believe that these Public Schools are necessary to our form of government; that it is not safe to commit the preservation and perpetuation of the public liberty and of our civil institutions to an ignorant, untaught multitude, to those who will be incapable of appreciating their value, or who may be made the dupes of better educated but more wicked men. We say it is necessary to the perpetuation of public liberty that the community be educated—that all who exercise the elective franchise, should be taught to value our civil institutions. But we say that no sectarian body can do this; it must be done by all together. If you were to give all this money to the sects, it could not be done—it can only be done by a common system, for if all the sects had this money divided amongst them, there is one half of the community who would not suffer their children to be taught by them. What then is to become of these children? Our public liberties demand a public universal system of education, and this can only be effected by agents appointed by the State, and answerable to the State; it can never be done if the money be given to any denomination, or divided among all the sects. Sir, we allege this is the broad principle on which the Common Schools are established; take this away, and you have no right to lay a tax at all; you could not lay a tax with any justice for this purpose. If the money is to be distributed among the different sects and denominations of christians, and they are to use it as they think best, even for their own proselyting purposes—I speak of no particular denomination—all have their preferences and peculiar tenets, and all desire to make converts to their belief—I say give the money to this end, and what follows? Why, that you ought to tax them severally according to what they receive. What right have you to tax Roman Catholics for the support of Methodist Schools? or what right have you to tax Methodists for the support of Presbyterian Schools? In short, what right have you to tax any sect for the support of the Schools of rival sects? You have first to ascertain what each requires to support the schools under their care, and then to tax that denomination to the necessary amount. You have no right to tax me as a Methodist, for the Roman Catholic Schools but only on the ground that education is necessary for the preservation of our public liberties and for the public safety. Fall back upon the plan you formerly pursued and you will again hear of complaints among the sects, that they do not receive from the public fund according to what they pay in. Now the Methodists, perhaps, pay much less than some other denominations who are less numerous than themselves. We make it a part of our religion to pay our taxes if we are able; but we have very little to be taxed at all; and if we have but little to be taxed, we pay but little; and yet we could supply more children than some denominations who pay ten times more. Would they then have no right to complain if these Schools were established on sectarian principles instead of public principles? Would not their complaint be just and proper? It is clear that you could not refute these complaints. And if you concede the prayer of these petitioners, if

you grant their request in order that you may remove their cause of complaint, you destroy the Public School system and you may take your leave of it from that very moment; the whole fabric will crumble into its original elements—it cannot stand.

But why should this system of public education be abandoned? Is it to appease the scrupulous consciences of the Catholics? The existence of public schools, or of the public school system, cannot affect their consciences, for they are not compelled to send *their* children to the public schools. Have they then any scruples of conscience about paying taxes for the support of this institution. The Right Reverend gentleman tells you himself they have not, for he tells you they have not complained and do not intend to complain of the appropriation by the Legislature of money raised by taxation to Protestant colleges. If, then, sir, you yield the claims of the Catholics, it will not be to their conscientious objections that you yield, but to the alleged injustice of compelling them to contribute to a public benefit, from which they, as a sect, derive no advantage. You must, then, sir, go farther; you must release all from the payment of taxes who cannot conscientiously avail themselves of the advantages offered by the public schools, and this will include most of the large property holders in the city—for these being able to afford it, are bound by parental duty to afford their children a better education than can be given in the public schools. Yet these are not only willing to pay taxes for the support of public schools, but have petitioned the Legislature to tax them for this purpose, because they are aware that the education of the poor classes is necessary to the common welfare.

But sir, I adverted to a foreign Potentate; and I did say I desired to know where his spiritual authority ceased. And I am the more desirous of knowing this because it is alleged, and the Right Rev. gentleman ought to know, if it be true, that by the oath taken by the dignitaries of that church, they are bound to support a little more than the Pope's spiritual authority. I will make no assertion, but I throw it out that the Right Rev. gentleman may say whether his oath of ordination does not bind him to a little more. Sir, I did say, and I emphatically repeat, that it is very desirable his fellow citizens should know where that civil and spiritual authority terminate. I beg pardon for intruding so long upon your attention; I have gone through our memorial, and that is all we ask. At present I have nothing more to say.

The Gentlemen who appeared as the representatives of the petitioners and the remonstrants, having now been heard, The President inquired—What is the pleasure of the Board?

An Alderman moved that if there were other gentlemen present who desired to be heard, that they be heard on sending their names to the President; which was agreed to.

Dr. SWEENEY said that he appeared, with several other gentlemen as a committee from the Catholics, but they withdrew their claim to be heard, as the Right Rev. Bishop Hughes was entitled to a reply.

Dr. David M. REESE, M. D. (who is a Preacher in the Methodist Episcopal Church) rose and said:

Mr. President, I avail myself of the permission granted by the board to add a few observations on another branch of the subject which is interesting to us all, to which I desire for moment only to direct your attention. It appears to me, sir, that neither Romanism, nor Protestantism is on trial here, and the question submitted to this honour-

ble board is not whether the Roman Catholic Church shall have the exclusive control of any portion of the public treasure, collected by public taxation for the purpose of public education—it is not the question whether the Roman Catholic Church shall have it; but the great question in which we are interested as a community is, whether any denomination,—whether any portion of this great community shall have the exclusive control, though it be but of a single dollar, of the money raised by public taxation for the public benefit. I would hope therefore, if I succeed in gaining your attention to the point—to the single point I submit to you, to call you for a moment from every consideration of a sectarian aspect. Indeed, I humbly conceive that religious creeds—that sectarian creeds of any kind whatever are not at issue in the present controversy. If this application had come from Protestants as a body—from any political or religious sect, however numerous, or powerful, or popular they might be, the same objection would lie against the application, from whatever source it might come. I humbly submit therefore, whether the Right Rev. Gentleman to whom we had the pleasure to listen last night, would not have served the public more effectually by instructing his people that the opposition to this claim is *not an opposition to the Roman Catholics*, but to the principle of appropriating money raised by taxation for public purposes, to any party whatever, for their exclusive control. I say the Rev. Gentleman would have been serving the public, and would have been doing nothing unworthy of his highly honourable, and sacred office, if he had applied himself to enlightening his people on this point—that the present opposition is not an opposition to *their* creed or to *their* church, but that the same opposition would be against any other denomination equally as numerous, and equally as respectable. Certainly, Sir, this would have been more worthy of his sacred office than haranguing his people in their public assemblies for the purpose of exciting prejudices against the Public Schools. Before these prejudices were created, when these people had not yet been taught to look upon them as odious, the Roman Catholics sent their children to these schools, and availed themselves thankfully of their benefits. But now many of them have abstracted their children, merely because harangues of that kind have been made which are calculated to create disaffection amongst them. Sir, the opposition made to this memorial is neither sectarian nor religious; and this being premised, it is impossible that it can involve a question of conscience at all. What is the question? It is complained that men having taxed themselves, and having paid that tax, for a given purpose—the public benefit—have afterwards voluntarily chosen in the exercise of their freedom, in this free country, to forego the benefits provided for the public indiscriminately. All are taxed for public education which is given by the Public Schools; but a portion of the citizens choose to relinquish the advantages of these schools; the question then resolves itself into this, is it sound public policy to tax the citizens generally for a public purpose when any portion, on whom the tax is imposed, choose not to avail themselves of its advantages? You see in this aspect that it strikes at the whole Public School System; for if the Roman Catholics are to be excused because they chose to forego the advantages provided, every other sect, whether for the sake of party politics or religion, might take the same attitude and plead the same conscience, and the result would be that there would be no provision made for public education, and the rising generation in multitudes would grow up like “the wild asses’ colt.”

Now in this aspect I humbly submit whether our fellow

citizens who are found peacefully enjoying their rights and liberties in this country, do not receive an equivalent for the taxes which they pay, in the proper exercise of the right of suffrage which is here secured? Whether they ought not thus to contribute to the political advantages which this happy country furnishes, and whether they do not thus secure an ample equivalent for the taxes which they pay, even in cases where they voluntarily decline to avail themselves of the Public Schools. But, sir, I know a conscience may be created in this community by a Bishop or other dignitary. Let them but turn their churches into Bear Gardens and agitate their congregations by exciting speeches as has been done on this subject, and others will be taught to plead their newly excited consciences beside Roman Catholics. And shall this great community be deprived of this system because such a conscience is created? But if there can be no conscience in the matter in truth, the point is narrowed down to the question—Is it a hardship to pay a tax for a public benefit when we thus forego the advantages? Or ought every man who does not avail himself of the advantages which the system furnishes, to be exempted from taxation? We know a disposition to avoid taxation exists in thousands, and if conscience is to be an excuse, conscience will easily be started to avoid the payment, and the result will be that no public education could be sustained here or elsewhere.

As well might the petitioners ask for a separate Alms House or a separate Hospital for their exclusive accommodation, and allege the hardship of paying a tax for the support of these public charities, while their consciences would not allow them to take shelter there, in time of adversity; because forsooth, a Protestant Bible is sometimes found there, and a Protestant chaplain sometimes reads a chapter there, for the consolation of the sick and dying.

Sir, it is the enlightened public policy of our city, state, and nation, to provide and perpetuate the facilities for educating the entire population in the rudiments of secular learning, and to support these and other public institutions by public taxation. The provision is free for all, and all contribute to its maintenance. But if individuals among us choose to educate their own children, and refuse to avail themselves of the Public Schools, the act is their own, but in no wise furnishes them a pretext to complain. Especially, when such individuals establish sectarian schools, in which with the secular knowledge imparted, their own religious tenets are to be taught; is it not passing strange, that they should wish to impose upon all other religions, the tax of sustaining those schools, in which their own religion is exclusively to be inculcated? I care not whether such individuals be Roman Catholics or Protestants, they cannot by possibility possess any right of conscience, which will give them a claim to impose upon any other man’s conscience, the burden of supporting their sectarian or exclusive schools. Nor can the money raised by public taxation to support Public schools, be expended in any other schools than those of strictly public character, which denominational schools cannot be in the nature of things.

The system of the New York Public School society, secures confessedly every desirable facility for secular learning, to an extent commensurate with the population. No religious test is required as a qualification for the office of teacher in these schools, and both trustees and teachers are promiscuously taken from all denominations, a number of Roman Catholics being engaged both as trustees and teachers. Great care however is taken to have none employed in these schools as teachers, but persons of good moral character, and while all the peculiarities of doctrinal

them, but are we to have no feeling? But the Right Rev. gentleman told us that the Methodist Episcopal Church is a young church, and that this was the reason why there were not many very bad things said of us. He said our church was only a hundred years old; yet a great many bad things may be done in a hundred years. But we have not escaped unscathed, though perhaps the gentleman may not know it. Why sir, Mr. O'Connell has published that our Founder, Mr. Wesley, aided and abetted Lord George Gordon's mob! Yes, that if Wesley did not originate, he aided and abetted it; so that we have not escaped unscathed. But the Rev. gentleman went further. He said we had done less good than any other denomination in Christendom. Why, we are not asking this Council any reward for what we have done; we make no pretensions; whether we have done good we leave others to decide. All we claim is, that we have stood in our lot. We believe the different sects and denominations in christendom are permitted of God for wise purposes. We would not swallow them up if we could.—We would not cross the street to make all other Protestants members of our church. We have our work; we cannot do their work; they cannot do ours. We make no claim; but if we have not done a great deal of good, how can the gentleman with propriety profess so much respect for us? If we had done good we should not have escaped, any more than our brethren, so significantly and appropriately termed Friends: they have done good, yet they have not escaped any more than ourselves. It is to them that the world owes the increasing disapproval of war, and though they have not been able to accomplish what they desire, and though they have been unresistingly oppressed, they have borne a patient testimony to their doctrine, and with the revolutions of this world, the day will come when war will be no more. And have they not borne a holy testimony against Slavery; not a turbulent and an abusive testimony, but such as comports with the doctrines they teach, and yet they have not escaped; though they have confessedly done a great deal of good. It has been said that the Methodist Episcopal Church in England never favored the rights of conscience, nor aided in the enlargement of liberty. Why there is no Methodist Episcopal Church in England at all. The Methodist Society in England, claims only to be a Society within the pale of the Church of England, as the Jesuits are a society within the pale of the Catholic Church. If it be alleged that the Methodist Society are not acknowledged by the Church of England, it will not be forgotten that the order of Jesuits have been suppressed by the Pope. It seems, however, that the latter have been restored, and so our friends in England seem to be getting high in favor with the English establishment; yet we owe them no allegiance; we send them no books to be sanctioned before we venture to use them in our schools; in short we do not admit their right to dictate to us in any matter whatever. It is in this country only, that there exists any Methodist Episcopal Church. But we are told that the Methodists in England have never taken any part, or given any aid, in the struggle for religious liberty. It is true, sir, that the Methodists in England, like the Methodists here eschew all participation in political strife, as a society or church. They do not think it any part of their vocation to call meetings in their churches, and address them on the political questions of the day, as some other churches do. Perhaps they are too young a church for this, and we hope

it will be a long time before they get old enough to do so. But individually they act in these matters as others do; and it is to honor of the Methodist denomination in England, that their members generally gave their whole weight and influence to Mr. Wilberforce in all his benevolent efforts in favor of civil and religious liberty. During his long struggle against the slave trade, such was their attachment to him and his cause, that in some parts of England collections were made at the doors of their places of worship to aid in defraying the expenses of his election.

But we have said "This is not all. They have been most complaisantly offered the censorship of the books to be used in the public schools. The committee to whom has been confided the management of these schools in this city, offered to allow the Roman Catholic Bishop to expurgate from these books any thing offensive to him. But the offer was not accepted; perhaps for the same reason that he declined to decide on the admissibility of a book of extracts from the Bible, which had been sanctioned by certain Roman Bishops in Ireland. An appeal, it seems, had gone to the Pope on the subject, and nothing could be said or done in the matter until his Holiness had decided. The Common Council of New York will therefore find, that when they shall have conceded to the Roman Catholics of this city the selection of books for the use of the public schools, that these books must undergo the censorship of a foreign Potentate.—We hope the time is far distant when the citizens of this country will allow any foreign power to dictate to them in matters relating to either general or municipal law." To this it is objected simply that the Roman Catholics of this country acknowledge the supremacy of the Pope only in spiritual things, that they do not acknowledge in him either political, or civil, or any other than spiritual authority. Well, sir, we have not said they did, in our memorial. What then is the complaint? We did not undertake to determine whether the submitting to his Holiness the question whether a book shall be used in our schools is a spiritual or temporal matter. But we really wish to know where temporal jurisdiction ends and spiritual jurisdiction begins. We should like to have some definite boundary—some line of demarcation drawn between temporal and spiritual authority. We did consider the public schools a secular matter altogether—we did think it a temporal matter to decide what books should be used in our public schools, for professedly they do not intend to interfere with the peculiarities of any sect. But if this is really a spiritual matter where will it end? What is it, it cannot reach? What is it, it will not reach? If it is a spiritual matter, then all that is necessary to carry out spiritual dominion must be granted, and when was it that to enforce spiritual dictation temporal power was not resorted to if practicable? The time was when to enforce this spiritual authority a whole country was laid under interdict. Who does not know that the time was when the churches in England were all hung in black, when the dead were unburied, when the children were not baptized, and when nothing was done by the clergy which the community esteemed essential to their eternal interests, and subjects absolved from their allegiance, because the King refused to submit to the Pope of Rome. This power may not exist here; the pretension may have been abandoned; but if it has been, I should like to know it. I should like to know where the boundary is between temporal and

spiritual power. I should like, for the first time, to be taught whether they consider the common interests of education a secular or a spiritual matter, and if a secular, whether it is to be interfered with by this spiritual power? As yet it cannot be determined what books will be tolerated in the public schools by the Roman Catholic Bishop, while an appeal has gone to the Roman Pontiff,—nothing can be done here until his answer is received! The gentleman did not deny this last night, when it was so alleged on the part of the Public School Society, and therefore he must pardon me if I believe it.

Sir, we did, in our memorial, regret that our Roman Catholic fellow citizens, in their address, should have referred to the martyrs of their Church who suffered for opinion's sake, and we did say it was an unfortunate allusion. It was unfortunate because it was addressed to all classes of the community, and because in this community there are strangers from abroad, of all countries, among whom there are descendants of protestants who suffered for their religion. We said it was an unfortunate allusion, and we said so because it would revive in the minds of many the memories of their ancestors, and they would thereby be reminded of the revocation of the Edict of Nantz, the massacre of St. Bartholomew's day, the fires of Smithfield, or the crusade against the Waldenses. Now we did not mean to say that the Right Rev. gentleman has power to do these things now, we did not intend to insinuate that our Roman Catholic fellow citizens would persecute now; but we said it was unfortunate, and was it not unfortunate to do anything to revive the recollection of scenes so painful? But we said we were desirous to cover all these scenes with the mantle of charity, and the gentleman rebukes us. He tells us to attempt to do no such thing, for our mantle is too narrow. Well, I suppose he does not mean to practice this virtue himself, but to revive feelings in Protestants which we should wish not to recollect if it could be prevented. But he adverts to their sufferings for conscience sake, and he went into details of the persecutions of Catholics in England. Now, sir, we are not here to justify persecution, nor to make excuse for it—we hate it, and we love to hate it—but we are here to say, and we must be allowed to say, that whatever may be alleged against Protestants about persecution, that we are at liberty to be better than our fathers; we are at liberty to renounce both the practice and the tenets of our fathers if they are found to be wrong. We say that when Protestants persecuted Catholics they were not half reformed—that they had brought much that was unchristian out of the Church from which they had come. But we have learned better now; we have abandoned those tenets and practices. Let the Right Rev. gentleman say as much for himself; let him say that with them it is not *semper eadem*, always the same. Let him say that the Roman Church has erred in matters of faith or that she can err, and then the difficulty between Protestants and Catholics will cease from that moment. If the Catholics of the United States are at liberty to think for themselves on these subjects, and dissent from whatever they believe is not according to the word of God—either their translation or the original—if they are at liberty to do this, the difficulty is at an end. But while they are bound by the decrees of an infallible Church—while they are not to determine anything for themselves as a matter of faith—while they are not to believe that their church can at any time be wrong in opinion—that she can never err; we have more cause to fear that Cath-

olics will, if they get the power, persecute the Protestants, than they can have of persecution from Protestants. If they can say they do not believe as their fathers did, we may hope they will not do as their fathers have done; but while their motto continues to be "*semper eadem*," while they continue to declare that their church is always and every where the same, we think, sir, we may not dismiss our fears. Let them renounce their infallibility and we will be cured of our apprehensions. But again.

"Your memorialists had hoped that the intolerance and exclusiveness which had characterized the Roman Catholic Church in Europe, had been greatly softened under the benign influences of our civil institutions. The pertinacity with which their sectarian interests are now urged, has dissipated the illusion. We were content with their having excluded us, "*ex cathedra*," from all claim to heaven, for we were sure they did not possess the keys, notwithstanding their confident pretension, nor did we complain that they would not allow us any participation in the benefits of purgatory, for it is a place they have made for themselves, and of which they may claim the exclusive property; but we do protest against any appropriation of the public school fund for their exclusive benefit, or for any other purposes whatever."

Now the Right Rev. gentleman ought to have remarked here an error of the printer; the omission of the word "*sectarian*"; and instead of "*any other purpose whatever*" it should have read "*any other sectarian purpose whatever*."

Sir, the gentleman admits we are right; they do exclude us from heaven; but then he alleges that we are as bad as we said they were, for we exclude Catholics. Now, if there are any that do not allow that good pious Roman Catholics are going to heaven, I do not know it. If there are any such in our denomination, it is unknown to me; I hold no such opinions, and I hope the gentleman himself will take it back again, when I assure him that the founder of Methodism, John Wesley, published the life of Baron De Rentz, and that he abridged and published "*Kempis' Christian Pattern*," both of which have been widely circulated amongst our people. We do not deny that Roman Catholics may go to heaven; nor did we complain that we were denied any participation in the benefits of their purgatory; but the gentleman tells us to go farther and fare worse. Sir, we will take our chance for that—we will take our chance of faring worse and of getting to heaven too. But if the gentleman denies us the benefit of his purgatory in the next world, we hope he will allow us the benefits of this world. If he will allow our children the benefit of the Public Schools—of a place where they can learn to read God's holy word; if he will not persist in a measure which will destroy these schools—we will take our chance of going farther and faring worse. If he will allow our children a place where they can learn to read that Book which as the great Mr. Locke says, has God for its author, salvation for its end, and truth without any mixture of error, for its matter; we will not complain of any other exclusion he may insist upon in the matter. But it is alleged that we are here to oppose Roman Catholics. Sir, we would oppose the Methodists if the same application was made by them. I would have stood here myself to oppose them, for I do not fear nor dodge any responsibility. We believe that all mankind are individually undergoing a moral and intellectual probation before God; and that we cannot, without incurring the divine dis-

religion, in opposition to sectarianism; and in all this of time. When it was separated from the churches, as what testimony have we that these schools tend to Infidelity? For what shall we change the Bible, the Holy Book of God which announces divine truths to man? Shall we exchange this Bible for the teaching of the Roman Catholic school master? Which is the best adapted to stem the flood of Infidelity? But they don't design to teach sectarianism! What then? I rejoice to be able to say here, and I believe the Right Rev. gentleman will join with me in saying, that he believes in one God, in one Saviour, in the Holy Ghost, the forgiveness of sins, the regeneration of the heart by the Holy Spirit, justification by faith, and in a future day of judgment. I believe he will join with me, or any one else, in the belief of these truths. Are they not the truths of the Bible? And may not these truths be taught our children? Are they not taught in Roman Catholic schools? What, then, do they desire to teach? Why, the peculiarities of their system, and nothing else, for all these leading truths are taught in the Bible. He wants something, I presume, that is not in the Bible, for the Bible is taught there, and if anything else is to be taught that is not in the school, it must be something that is not in the Bible, and therefore it must be sectarian. Now we have arrived at an age in our Republic when we see the different sects and denominations, though they may not agree in all things, agreeing in all leading points—on these we can meet and unite, and strengthen each others hands to do good in our day and generation. We therefore, as a denomination, unite with our brethren of other denominations, and those of no denomination, or, in other words, with the representatives of every Society, to say, let this fund be appropriated as it was intended to be, and let all share alike in the education of the rising generation. For myself, I could go still farther than has been gone, and say that these little vagrants that are suffered to stroll about the streets and spend their time in idleness, I would compel to enter these schools, and I believe it would be an act of humanity, if their parents were so indifferent to the welfare of their children that they allowed them to spend their time in idleness, or something worse. Let the State extend the hand of compassion, and take them out of the streets to be taught, where they will be saved from vicious indulgencies; and I hope the time will yet come when it will be done.

The Rev. Dr. SPRING of the Brick (Presbyterian) church, said, Mr. President, as much time has been consumed, as this question has been abundantly discussed, and with great ability, especially by the learned counsel; had I not been urged to say a word on behalf of the Presbyterian church, I should not have claimed your attention. I am not authorized by the Presbyterian Church, as a church, to attend here; but if I had, I would have paid more particular attention to the subject than I have done. I can say with my worthy brother of the Dutch Reformed Church, that the sentiment of the church at large with which I am connected, is one of entire unanimity of ardent and cordial opposition to the petition which is now before you from the Roman Catholic church. I will state Sir, but a single fact, without recapitulating the valuable remarks of the other gentlemen, which has rested on my mind and may have some weight in the bosom of some gentlemen with whom the decision rests. In the providence of God, Sir, having been more than thirty years in this city, I have had opportunities of watching the progress of the Public School Society, and of knowing some of its history in that period

as such and assumed its present shape, it was a solemn matter of compromise and contract on the part of the corporation and the Public School Society, I do not say it was a contract in writing, but this was the understanding of all our churches: We were solicited to give up our rights and denominational feelings, to which we were strongly attached, that this large scheme might go into operation and spread its influence over the community; and the alternative with us was whether we should oppose that great scheme, and continue the pilfering which had been detected in one Society with its unpleasant attendant consequences, or aid the Public School plan. And we sacrificed our feelings for the general good on the sacred understanding that the system should be continued; and we shall consider it a violation of good faith if you grant this application. I can unite with some of my friends who have preceded me, in saying that if this application had come from any other denomination, I would have opposed it; but I cannot say that I have no greater opposition to it because it comes from my Catholic friends; I do view it with more alarm on account of the source from which it comes. And any man who looks at the history of the Catholic church, whether in or out of power, and finds she has ever been, and in those parts of Europe where she remains in power, she continues to be almost uniformly the enemy of liberty, will look upon this application with suspicion and fear. I do so not only as an American but as a Christian, as a Protestant, and as a Presbyterian. The gentleman has sought to prove that the present system leads to infidelity. Now, Sir, let no man think it strange that I should prefer even infidelity to Catholicism. Even a mind as acute as Voltaire's, came to the conclusion that if there was no alternative between infidelity and the dogmas of the Catholic church, he should choose infidelity. I would choose, Sir, in similar circumstances to be an infidel to-morrow.

Mr. President, my worthy father, I would call him brother, for my hairs are almost as grey as his, has well said that the great barrier to infidelity is the Bible. Put Sir, the Right Rev. Gentleman told us yesterday he had no confidence in the Protestant Bible; and yet you heard him, when he came to a community of Protestant citizens, ask for the bounty of the State to support such a system as his! With you, Gentlemen, the power remains. I need not now after what has been said, indeed this would not be the proper place, urge any arguments at length on this subject, and therefore, I will not further trespass on your time; nor need I scarcely ask pardon for detaining you so long, having been myself urged to say something on behalf of the church with which I am connected.

The PRESIDENT said the closing remarks would be given to the petitioners.

Mr. KETCHAM observed, that if any new matter were introduced, he hoped he should have the opportunity to reply. The Right Rev. Gentleman opened on the part of the petitioners; he had been replied to, and it was but right that he should have the right to reply to the other speakers; but if he urged new matter either of fact or argument, he, on the part of the School Society, should claim the right to reply to that new matter.

The President called upon the right Rev. Dr. Hughes to conclude the debate.

The Right Rev. Bishop HUGHES then rose to reply to the arguments of all the gentlemen who had been heard on the subject, and he spoke nearly as follows:—

Mr. President, it would require a mind of much greater capacity than mine to arrange and mature the topics, relevant or otherwise, that have been introduced into this discussion since I had the honour to address you yesterday. No less than seven or eight gentlemen of great ability have presented their respective views on the subject, and not only on the subject in regard to its intrinsic merits, but on subjects which they deemed at least collateral, but which I think quite irrelevant. The gentleman who last addressed you, (Dr. Spring,) is entitled to my acknowledgments for the candour with which he expressed his sentiments in reference to it, namely, that he was opposed to it more because it came from Catholics than if it had been presented by any other denomination. That gentleman is entitled to my acknowledgment, and I award it, if worthy of his acceptance. The subject—for it is exceedingly important that the subject should be kept in view—is one, as I stated before, that is very simple. We are a portion of this community; we desire to be nothing greater than any other portion; we are not content to be made less. There is nothing, sir, in that system of the Public School Society against which any of the gentlemen who have spoken, either in their individual capacity or as the representatives of bodies of people, have urged a single conscientious objection, and of course they have no right to complain—they are satisfied, and therefore I am willing that they should have the system, but I am not willing that they should press it upon me, and for good reason. And, sir, if this honourable body rejects the claim of your petitioners, what is the issue? That we are deprived of the benefits to which we are entitled, and that we are not one iota worse than we were before. That is our consolation. But the whole range of the argument of the gentleman who spoke last was to show that this Public School System was got up with the concurrence of public opinion, and that having been so got up, it had worked beautifully, and that gentlemen, who never heard of conscientious objections to it, because it suits their views, deem it wonderful that we can have any conscience at all on the subject. That is the amount of it. What! no ground for conscientious objection, when you teach our children in those schools that "*the deceitful Catholics*" burned John Huss at the stake, for conscience, when evidences are numerous before you of a more just and a more honourable character—when you might find on the page of history, that in Catholic Poland every avenue to dignity in the state was opened to Protestants, by the concurrent vote of eight Catholic Bishops, whilst the vote of any one of them according to the constitution of the Polish Diet, of which they were members, could have prevented the law being passed—and what is more, when the first lesson of universal toleration and freedom of conscience the world was ever called to learn, was set by the Catholics of Maryland—I speak in the presence of gentlemen who can contradict me if they know where to find the authority—and what was this but homage to the majesty of conscience by a Church which they wish to establish as a persecuting Church. That Church, sir, which the gentleman has come here to prove justifies the murdering of heretics, was the first to teach a lesson which Protestants have been slow to learn, and imitate but which the religion they profess should have taught them. But not these examples alone; there are hundreds more. At this day in Belgium, where Protestants are in a minority of one to twelve, the state votes them an equal portion, and where their clergy are married, a larger portion, and that with the concurrence of the Council and the Catholic Bishops. The

gentleman need not tell me of Catholicism; I know it well; and what is more, I know Protestantism well; and I know the professions of good will of Protestants do not always correspond with their feelings. But I should like to know whether or not in Protestantism they find authority for persecuting to the knife, not Catholics alone, but each other, even after they have proclaimed the right of every man to think for himself. With good reason sir, do I contend for conscience, but they may think a Catholic has no right to have a conscience at all. They may think because this system is beautiful in their view, that this pretension to conscience on the part of Catholics ought to be stifled, as a thing not to be admitted at all. But that will not do. Man in this country has a right to the exercise of conscience, and the man that should raise himself up against it will find that he has raised himself up against a tremendous opponent. Now, what is it we ask? You have heard from beginning to end the arguments on this occasion, and though I may not follow the wanderings of this discussion through all its minute parts, if I pass over any part, be assured it is not from any desire to avoid or any inability to refute what has been said against us. I may pass over many points, but I will not pass over any great principle, and you have, no doubt, given so much attention to the subject as to enable you, if I should not recapitulate the whole, to decide justly. It has been urged, that if you give Catholics that which they now ask, you will give them benefits which will elevate them above others; but, I contend most sincerely, and most conscientiously, that we have no such idea; and when you shall have granted the portion we claim, if you should be pleased to grant it, I conceive then, and not before, shall we be in the enjoyment of the protection, and not privilege, to which we are entitled. That is my view of the subject; but, I have been astonished to perceive the course of argument of the gentlemen who oppose our claim, generally speaking. What it is they contend for I cannot determine; but, it seems to be the preservation of the existing system. They were among the first to disclaim the doctrine that the end justifies the means, and if in attaining their end they find they cannot reach it without injustice, then as conscientious and high-minded men, they should have paused by the way, and have ascertained whether the means were worthy of them and of our glorious country. Yet, sir, they have generally overlooked this, and it is no new thing to find that they have laboured to promote the benefit of their own society at the sacrifice of the rights of others. Sir, it is the glory of this country that when it is found that a wrong exists, there is a power, an irresistible power, to correct the wrong. They have represented us as contending to bring the Catholic Scriptures into the Public Schools. This is not true; but, I shall have occasion to refer more particularly to this by and bye. They have represented us as enemies to the Protestant Scriptures "without note and comment," and on this subject I know not whether their intention was to make an impression on your honorable body, or to elicit a sympathetic echo elsewhere; but, whatever their object was, they have represented that even here Catholics have not concealed their enmity to the Scriptures. Now, if I had asked this honorable board to exclude the Protestant Scriptures from the Schools, then there might have been some coloring for the current calumny. But I have not done so. I say, gentlemen of every denomination, keep the scriptures you reverence, but do not force on me that which my conscience tells me is wrong. I may be

tenets which distinguish and separate Christian churches of every name are excluded, the purest morals in which all agree, are taught among the lessons of each day, a chapter in the Bible being read at the opening of the school. The petitioners themselves do not allege any defect in the secular knowledge here taught, nor do they complain that any religious doctrines are inculcated in these schools. But they insist that their consciences will not allow them to sustain such schools, because no religion is taught in them; and surely they would consent to none being taught, except their own religion, and hence it is for this purpose alone, they have their own schools. It is idle then for the Rt. Rev. Bishop, to repeat his disclaimer of any intention to teach his own religion in his own schools, for in no other way can he make out his plea of conscience, nor can he in any other way make out a single plea against the present excellent system of Public School instruction.

I do not design to prolong the discussion, but I feel impelled to say what I have said, for I have observed the excitement which exists, arising out of the false issue which the Right Rev. gentleman has created, and that hence all the publications on that side of the question in putting forth the claim of the Catholics, have treated it as though the opposition to it was an opposition to Roman Catholics. Sir, I disclaim it. I am not aware that any man in this community opposes it because it is the petition of Roman Catholics, but because it comes from a class of citizens, highly respectable and numerous, I admit, who ask for this money to be placed under *their own* controul. I am sure those with whom I am associated do not oppose it merely because it comes from Roman Catholics. We believe the Public School Society confers on us, and on this community, an advantage, by the secular instruction of the rising generation. We see daily, multitudes in these schools of children who will soon be introduced on the stage as citizens of this republic, and it is vastly important that they should be educated and qualified for the discharge of the important duties of freemen. This Public School System is preparing them for that purpose; it is attracting the attention of public men of other countries; these Schools are regarded as the nurseries of intelligent freemen, who will hereafter have to take the guardianship of the liberties of this country: we are training up thousands of citizens, not only for New York, but for the West;—New York contributes much to the population of this nation, and the power lies with this Board of Aldermen to direct their training so as to make them useful to their country. But there comes a petition, from a body highly respectable, I admit, who ask, "Let us have this money which is collected for a public purpose and we will apply it to a private one." I know they disclaim sectarian views, if the money is obtained; but if their views are not sectarian they can find no valid objection, nor make no improvement to the existing system of Public Schools. It is immeasurably important that the present system should be supported; the gentlemen to whom the Schools are now entrusted have shown themselves amply qualified to discharge their duties, and I hope any attempt to destroy the present system will be frowned down, whether it be made by Catholic, or Protestant, Christian, or Infidel.

The Rev. Dr. KNOX, of the Dutch Reformed Church, said,—

Mr. President,—I should not have risen to claim your indulgence for a single moment were it not to say that the christian denomination with which I am connected, in their united sentiment are adverse to the prayer of the memorial now before you; and that they would, unquestionably, have

been here with a counter memorial, if they had not cherished a confidence, that, in the hands of this Corporation, the matter is perfectly safe. Sir, I regard the subject now before this honourable body as one of most momentous importance. The principle on which our government is established is of a character to exclude all immediate connexion, or the part of our government, with religious things. All religion is fully tolerated, fully protected, and then it is left alone, and there I hope it will continue to be. It is not professed by the contact of civil enactments—we have never heard of any "act of uniformity," to set a whole community by the ears. Sir, this principle, in this State, is guarded with most peculiar jealousy: there is not a minister of religion that can even be appointed as the Superintendent of a Common School, or be eligible to any civil office. Whether it is an innovation on our natural rights, I will not undertake to inquire, but with the existence of such enactments I feel perfectly satisfied. Let it so be. Interrupt this state of things and whether will it lead? Who can foretell to what it may lead? The denomination with which it is my honour and happiness to be connected, was the first to introduce the Gospel of Salvation to these shores—individuals of this communion laid the foundations of this city,—they embraced a large portion of the population of the State, and bear a large part of its burdens; and I know that the feeling of this part of our population is unanimously in favour of leaving matters as they are. As a demonstration that they are disinterested, the particular church which I serve has sustained a charity school more than a century; it sustains it still from the private charity of Christians; and they never received aid from the State, except for a few years, a few dollars for each child, during the operation of the law referred to last evening.

Now, personally, in reference to our Roman Catholic friends, my feelings are entirely kind. I have not any other feeling. I am not a man of strife. But this matter would not be quietly submitted to. Were any denomination, existing among us, to put forth such a claim as is now before this Board—were the Presbyterians to do it, we would not regard it as right. Were the Episcopalians, or the Methodists, to do it, we should not deem it right. In any case, we should not feel content to contribute to the general treasury of the State, if a portion of that treasury were to be taken hold upon by a particular denomination.—Whilst the whole spirit of our government, whether general or State, frowns upon anything that looks like elevating one section of the Christian community, in preference to another, it would not be kindly regarded if the prayer of this petition were complied with, and a distinction were conferred on one and not on others. But while I say that I feel kindness towards our Roman Catholic friends, candour would require me to go a little further than many have gone who have addressed you.

With reference to the system of religion by which they are distinguished, I cannot help regarding it as differing from others; they so regard it. It is exclusive; and they claim for it immutability and infallibility. Sir, can Protestants, believing as they do believe, consent to be directly instrumental in elevating strength, and in cherishing a system like this? I think not. I think the citizens of this State will say it ought not to be.

Mr. President, for myself, I wish our Catholic fellow-citizens to enjoy all the immunities that are enjoyed by any others; but with that I wish them to rest content. I have sought carefully, and according to my best ability, during this discussion and previously, to ascertain what is the pre-

cise ground of their dissatisfaction, and I confess I am not instructed yet. We are told that in these Common Schools religion is not taught; and in juxtaposition we are told that the Bible is read. Now, with regard to the administration of those schools, we have had abundant testimony both here and elsewhere, that they are conducted with extreme —with the very utmost care. Is disobedience to parents taught there? Are they taught to falsify the truth? or to do a wrong thing? On the contrary, are they not instructed in the common fundamental principles of morals, while they are taught to read and write and to discharge the duty of citizens when they arrive at maturity? The Bible is read, as it ought to be; and occasionally passages have been found in the books, admitted into the libraries, which are offensive to the feelings of Catholics. These have been expurgated as soon as detected in every instance that I am aware of. But is this a sufficient reason for so great a change? Can you, or any gentleman who is in the habit of reading, for a single week or day, be perfectly sure that even when reading works of a select kind you shall not find something that may not be consonant with your feelings? But let it be overlooked and passed by. Do these schools interfere with our religious instruction of our children? Do they take them away from the parent, or the pastor, or from the Sabbath School? Are they conducted by individuals of the same faith? I believe not. I am not able to find a just cause of complaint.

I have but a single remark more, for I have observed the great patience, with which this honourable Council has sat to hear the remarks of gentlemen both yesterday and to day, and I am unwilling to occupy more than another moment of their time on a single point. The gentleman who first addressed you yesterday afternoon, throughout the whole of his exceedingly able and eloquent address, laboured this one point, to endeavour to produce an impression on the minds of this Common Council that a false issue had been started—that they do not want the public money to aid them in communicating religious instruction. Why, Mr. President, it is strange that this single idea was not lost sight of during that long, able, and eloquent address of more than two hours' duration. But, sir, if they are willing to pledge themselves to give no religious instruction in their schools, why not allow their children to go to the common schools during school hours, and afterwards give them religious education? I confess, I do not know how this can be so. The only answer I can myself imagine is this, that upon the whole there is an influence exerted by a contact with the children in these schools, adverse to feelings of reverence for Catholic peculiarities. That must be it. Well, now is it so? Sir my children are exposed by mingling with the community, to things which are adverse to their feelings—if you chose, their prejudices; they may at the same time meet with things which reflect on their family, and on their associations—their religious associations and their other associations too,—does that weaken their attachment to those associations? No it strengthens them. They at once say those persons don't think as I do, they don't feel as I do. We may be taunted about our pastors or our faith; does that lesson our attachment to them? I think not. We think we are right and they are wrong, and we let it pass. Sir I repeat, though I am not delegated to attend here to tell it, that these sentiments pervade the denomination which I represent, and with the expression of that fact I will retire, and not trouble the board any longer.

The Rev. Dr. BANGS, of the Methodist Episcopal Church, said—

Sir,—I avail myself of the liberty which your resolution gives me, to make one or two remarks. It might be inferred by some, from the position we occupy here, that we appear here as a sect to vindicate our sectarian principles and rights. Now if such an impression should have existed I wish to correct it. We appear here simply, with the rest of our fellow-citizens, for the purpose of opposing what we conceive to be an unjust application. We have nothing to ask for. We do not ask for a portion of the public money to enable us to educate our children. The time was when the Methodist Episcopal Church had a flourishing Charity School which they supported for upwards of forty years without a cent from the public fund; but when the legislature of the State concluded to distribute a portion in the city of New-York among the charity schools, we received our proportion, and at the first, when a motion was made to take it out of the hands of charity schools and give it to the Public Schools we did remonstrate with others. But we are very glad to say that since we have seen the system in operation and viewed its blessed effects on the minds of our children and the community we joyfully acquiesce in the decision of the Common Council on that subject. There is one objection made to this system which somewhat surprised me. It was stated, if I did not misunderstand it, that by taking these children and sending them to these schools they are taken out of the hands of their parents and delivered over to the hands of the public officer of the State. Why, Sir, this is very extraordinary. Suppose our brethren of the Roman Catholic Church established their schools, for they have them, I suppose, do they not take their children, during school hours, from the hands of their parents? Are they not for the time being taken out of the domestic circle, and delivered over to the hands of the public teacher? And does not every father and mother, when they resign their children to a school, an academy, or a college, deliver them out of their hands for the time being? But, sir, the sending of children to public schools in this city, is not taking them out of the hands of the domestic government; the schools are established in the midst of us; we can send our children to them and they are only absent from us about six hours, and the rest of the time they are with us. How, then, pray tell me, have these schools invaded the authority of the father and mother? There is another point. If I did not misunderstand the senior pastor of the Roman Catholic Church, he told us that the instruction in these schools tended to infidelity. He disclaimed any intention to charge this upon the principles of the managers of that institution, but he said the system itself tended to infidelity. Now, sir, what is the great bulwark against Infidelity? Is it not the Bible, sir? What are all the commentaries, what are all the dissertations that were ever written, even the most learned, in comparison with the Bible? Are we to suppose that any human teaching in the Roman Catholic schools will be paramount to the Bible in checking the overflows of Infidelity? Would I trust myself or my denomination in preference to the Bible? No, sir. The Bible contains its own evidence of its own truth; it reflects its own light, unobscured by the commentaries of feeble man; and are we to be told that the Holy Scriptures without note and comment will lead to Infidelity? If I mistake not, one of the Trustees told us that the Holy Scriptures were read every day, and that the children were taught that God made them, and that he saw their thoughts, words, and actions, and these we know are the first principles of revealed

wrong, as you may be ; and as you exercise your judgment be pleased to allow the same privilege to a fellow being who must appear before our common God and answer for the exercise of it. I wish to do nothing like what is charged upon me—that is not the purpose for which we petition this honorable board in the name of the community to which I belong : I appear here for other objects, and if our petition be granted our Schools may be placed under the supervision of the public authorities, or even of commissioners to be appointed by the Public School Society ; they may be put under the same supervision as the existing Schools to see that none of those phantoms, nor any grounds for those suspicions which are as uncharitable as unfounded, can have existence in reality. There is then but one simple question—will you compel us to pay a tax from which we can receive no benefit, and to frequent schools which injure and destroy our religious rights in the minds of our children, and of which in our consciences we cannot approve ? That is the simple question. Or, will you appoint some other system, or will you leave the children of our denomination to grow up in that state of ignorance which the School Society has expressed its desire to save them from. Or shall the constable be employed, as one rev. gentleman seems to recommend (Dr. Bangs) or some public officer to catch them and send them to school, for from this moment in consequence of the language used, and the insulting passages which those books contain, Catholic parents will not send their children there, and any attempts to enforce attendance would meet with vigorous resistance from them. I have now presented what is in reality the simple issue ; it is no matter whether we believe right or not, for neither the Catholic nor the Protestant religion is on trial here ; and I repeat, therefore, that the gentleman who represents the Methodist Church has taken so much pains to distil through the minds of this meeting, a mass of prejudice which it will take several hours, but at the same time very little beside, for me to refute and scatter to the winds. I shall perhaps not dwell long on that part, because I judge it is irrelevant to the case in hand, but still I shall feel authorized to trespass on the patience of the meeting a short time, though but a short time to remove the improper prejudice which may have been created.

Now I start again with a statement of the question as I did the other day, and notwithstanding all the learning, theological, legal, medical, and I know not what beside, which has been employed to oppose our position, and although I have had to meet so many able gentlemen who have been accustomed to public speaking, I rise in the proud consciousness that not a solitary principle laid down by me, or laid down in that petition has been refuted. I see the question stand precisely where it did before the gentlemen began to speak, and I see the same false issue ; and I challenge any gentleman to say that it is not a false issue—persevered in to this very hour, so that our argument has not been moved one iota ; there must therefore be something powerful in our plain, unsophisticated, simple, statement, when all the reasoning brought against it leaves it just where it was before.

I shall now take the gentlemen in order, and follow them according to the notes which I have taken and my recollection of their arguments, and I may possibly have some difficulty in avoiding a discursive reply. The first gentleman (Mr. Sedgwick) who spoke, took up this view,

that if this system is wrong it ought to be overturned entirely. That I leave to the judgment of those with whom the confidence of the people has deposited the authority. He says that the people have a right to interfere and to give to the children of the State an intellectual education, that this must be carried out in some form or other, and that this system is as little objectionable as any that could be presented. That may be—I do not dispute the possibility of it, because it is unimportant ; but if he did mean to contend that that system which has been once sanctioned must continue to be sanctioned, although its sanction was merely by the tacit consent of the different denominations, and although it should become violative of the religious rights of any, then he goes beyond the limits which even the constitution of the land have made sacred. I have been represented as endeavoring to create excitement on this subject. To that I shall refer immediately ; but I may here refer to my objection to the existing system, on the ground that it has a tendency to Infidelity, and may observe that I know clergymen of other denominations who are also opposed to it on the ground of its Infidel tendency. There are many who have the conviction that it tends to Infidelity, and who know that the preventive referred to is not equal to stem the tendency to Infidelity which does exist.

The first gentleman who spoke, and he spoke with a frankness and sincerity for which I give him credit, contended—and when I answer his objection I wish to be understood as speaking to all that took up that objection—and it was urged more or less by the whole—that it was inconsistent to charge upon the system a tendency to infidelity, and then a teaching of religion and that this teaching was anti-catholic. Now this would be inconsistent under some circumstances ; but the gentleman left out the grounds on which that charge was made, and it will be proper therefore that I should state those grounds. In the document which emanated from the Board of Assistants last spring, they say, that the smallest particle of religion is a disqualification, and that “Religious instruction is no part of a common school education.” Now was it the intention of your honourable body to exclude all religion ? Was it the intention of the State Legislature ? Did any public authority require that the public school education should be winnowed as corn on a barn floor, and all religion driven out by the winds of heaven as chaff not worthy to be preserved ? Was there such authority ? Who made such a decision ? And yet that very decision, I ask you, if we are not authorized to interpret as proof of the charge, that the system has a tendency to infidelity ? For, banish religion, and infidelity alone remains. And on the other hand, we find the gentlemen of the Public School Society themselves repeatedly stating that they inculcate religion, and give religious impressions ; and I say it does them credit, for as far as they can they ought to teach religion. It would be better if they did for those who are satisfied with THEIR religious teaching. This explanation will set us right in the minds of your honourable body. It is first said, no religion is taught, and then it is admitted that religion is inculcated ; and next our petition is opposed because it is alleged that if our prayer be granted religion will be taught. What weight then is the objection of the Public School Society entitled to if this be the fact ? And where is our inconsistency ? If there is a dilemma to whom are we indebted for it but to the

Report of the Board of Assistants on the one hand, and to the testimony of the Public School Society on the other? Let us not then be charged with inconsistency.

Now sir, I contend there is infidelity taught. I do not mean in its gross form; but I have found principles of infidelity in the books—and one that would pass current as a very amiable book—a religious lesson which I would not suffer a child to read, over whom I had any influence. The lesson represents a father and his son going about on Sunday morning to the different churches, the little boy asking questions as they pass along from one to the other; at last the boy said to his father—I may not quote the words but I shall be found right in substance—"What is the reason there are so many different sects? Why do not all people agree to go to the same place, and to worship God in the same way?" And why should it not be so, replied the father. "Why should they agree? Do not people differ in other things? Do they not differ in their taste and their dress—some like their coats cut one way and some another—and do they not differ in their appetites and food? and in the hours they keep and in their diversion?" Now I ask if there is no infidelity in that? I ask if it is a proper lesson to teach children that as they have a right to form their own tastes for dress and food, they have the right to judge for themselves in matters of religion, for, with reference to the Public School Society, children are too young to have such principles instilled into them. Let them grow up before they are left to exercise their judgment in such weighty matters—at least do not teach Catholic children such a lesson at so early an age; and in all I have said, I desire to be understood as abstaining most carefully from prescribing any rule or method, or book, for any denomination with which I am not connected. But for Catholic children, I speak, and I say, it is too early for them to judge for themselves. And is this all? No sir; one other passage, and for that there may perhaps be something to be said as to its defence because it is from the pen of an eminent Protestant Divine, the Bishop of London. I presume the Bishop of London when he wrote that passage must have been writing on some subject connected with Infidelity—he must have been writing against Infidelity, and indulging in a range of argument which might be proper for such a subject, but out of place in the hands of common school children. What was that passage? Why it is one which represents the Divine Redeemer as a *man of respectable talents*.

Mr. KETCHUM rose, and intimated his doubt of such a passage being in the books.

The Right Rev. PRELATE continued. I have read it in their books, but the trustees have recalled them, I hope not for the purpose of depriving me of the opportunity of quoting the page. Such a lesson is now to be found in one of the books which represents the Divine Redeemer as showing uncommon quickness of penetration, and sagacity. I ask whether such a lesson is a proper one for children, and whether such is the instruction to be given to them of the Redeemer of the world? The gentleman who first spoke, said it was not in reality religion that was taught but mere morality that was inculcated,—the propriety of telling the truth and of fulfilling all moral duties. If this be true it is still strange that the School Society should prefer the word "religious." He did not deny that it was a kind of religion, and that the precepts of the Decalogue were inculcated, and while

the Public School Society admit that religion is inculcated and the legal Gentleman, their representative, does not disclaim it so far as it forms the ground work of a good moral character, it may be taken as admitted. And now, if they teach religion let us know what it is to be. Let them not delegate to the teachers, some of whom may teach one religion, some another, the authority or permission to make "religious impressions," to give "religious instruction," to give a "right direction to the mind of youth," and all the other phrases which we find in their documents. Now on the subject of religion and morals, would they teach morals without religion, which I conceive will be found as visionary as castle building in the air. Mr. Ketchum says they are taught not to lie, but without religion he furnishes no motive for not lying. If a man tells me not to lie, when it is my interest to lie, I as a rational being want a motive for telling the truth. My love of gain tells me if I lie and lie successfully it will add to my fortune; and if I am told to abstain from lying at the risk of my fortune, let me have a reason. But if I am told there is God to whom I am accountable, that is a motive, but then, it is a teaching of religion. Yes sir, when I am told there is a God I am taught religion, and therefore, I am astonished that the Report which has gone forth from the other Board should declare that the smallest teaching of religion vitiates the claim. You may as well think to build an edifice without foundation as to pretend to produce moral effects without religious belief.

There may not be the details of religion but there must be the principle to a certain extent, otherwise you cannot lay the foundation of good morals for men. Now sir, I will show you that Mr. Stephen Girard of Philadelphia, who had no religious belief whatever, in his Will by which he bequeathed large sums of money for the purpose of procuring great and material benefits to society; but which has been looked upon by many Christians of every denomination in Philadelphia rather as a curse than a blessing,—even he speaks of morality without religion nearly as the Public School Society does—He says :

"Secondly I enjoin and require that no ecclesiastic, missionary, or minister of any sect whatsoever, shall ever hold or exercise any station or duty whatsoever in the said College; nor shall any such person ever be admitted for any purpose, or as a visitor, within the premises appropriated to the purposes of the said College; on making this restriction, I do not mean to cast any reflection upon any sect or person whatsoever; but as there is such a multitude of sects, and such a diversity of opinion amongst them, I desire to keep the tender minds of the orphans, who are to derive advantage from this bequest, free from the excitement which clashing doctrines and sectarian controversy are so likely to produce. My desire is, that all the instructors and teachers in the college shall take pains to instil into the minds of the scholars the purest principles of morality, so that, on their entrance into active life, they may, from inclination and habit, evince benevolence towards their fellow creatures, and a love of truth, sobriety, and industry; adopting, at the same time, such religious tenets as their matured reason may enable them to prefer."

That, sir, is the policy of Mr. Girard, who had no belief that was known to others. That was the policy of a man who, so far as was known, was as much a sceptic as Voltaire or Rousseau. He, by his bounty of two millions

of dollars to the city of Philadelphia, provided that poor orphans should be brought up to respect infidelity. He did not say a word against religion, but he took care to stand by, not personally, but by his executors, in his will, to prevent its precepts being inculcated in the minds of those who are the dependents on his bounty. They were to have the purest principles of morals instilled into their minds; but the attempt is vain when religion is not placed as the foundation of morals.

He, like the Public School Society, stands by to see that the potter shall give no form to the vase, till the clay grows stiff and hardened. Then it will be too late.

The gentleman also made objections to our schools, because, he said, they were in our churches. The fact is, we were obliged to provide them where we could, and our means would permit; and there are some of them in the basement of our churches. And he conceived it impossible to keep them from sectarian influence, because the children would be within hearing of the chant of Divine service; as though sectarianism depended on geographical distances from church. But this could not have been a valid objection, because the Public School Society has had not only schools under churches, but in the Session Rooms of churches.

I shall refer now to the learned gentleman who followed him (Mr. Ketchum), and I can only say that this gentleman, with a great deal of experience in this particular question, really seems to me to confirm all I say on the ground we have taken. I know he lectured me pretty roundly on the subject of attending the meetings held under St. James' church. I know he did more for me than the Pope: the Pope "mitred" me but once, but he did so three or four times during the course of his address. He read me a homily on the duties of station; and he so far forgot his country and her principles, as to call it a "descent" on my part, when I mingled in a popular meeting of freemen. But it was no descent; and I hope the time will never come when it will be deemed a descent for a man in office to mingle with his fellow-citizens when convened for legitimate and honorable purposes.

But from his speech it would appear, that his experience has been obtained by the discharge of the duty of standing advocate of denial; and yet, with all his experience and opportunities of research, his inability to overturn our grounds confirms me in the conviction that they are not to be removed, even by the aid of splendid talents; for that speech, like most others, went on the false issue that we want privileges. But we want no privilege. That speech, like the speech from the Throne, might have been the speech of years past, and might have been stereotyped; for its only novelty, which proved to me that it was not all the work of antiquity, was the part which appertained to myself. And not only that, but I have to say, that when I came into this hall—and it is the first time I ever stood in an assembly of this description—I felt that I was thrown on the hospitality of the professional gentlemen; and I think if I and that gentleman could have exchanged places, I should not have looked so hard at him as he did at me. In fact, throughout that speech, he, with peculiar emphasis, and a manner which he may, perhaps, have acquired in his practice in courts of law, fixed upon me a steady gaze—and he has no ordinary countenance—and addressed me so solemnly, that I really expected every moment he would forget himself, and say "The prisoner at the bar." (Laughter.) He did

not, however. He passed that over; and whilst I recognize and respect the "human face divine," because God made it to look upward, I may here observe, that it has no power to frighten me, even if it *would* be terrible; and therefore I was not at all disturbed by the hard looks which he gave me. The gentleman will pardon me, I hope, in this, for it is natural enough, after what has been said—though I know it was said in good humour, to claim the privilege to retort.

Well, sir, this was not all, but he told us something about going to the stake. He was sure, if any of the public money was voted to the denomination of a reverend gentleman whose name I will not mention, the Catholics would go to the stake. Now, sir, we have no intention to do so. We know the public money does go to the support of religion; it goes to the support of chaplaincies, theological seminaries, universities, and chaplains of institutions whose appointments are permanent; and be it remembered, that one of the first lectures delivered in one institution, the University of this city, which was aided from the public funds, was on the anti-republican tendency of Popery. And yet we did not go to the Stake for that; and why? Because, though our portion of taxation mingles with the rest, we have no objections to the use of it which the law prescribes, so long as no inalienable rights of our own are involved in the sacrifice.

But, again, he said, if any of the money was appropriated to the Catholic religion, Protestants would go to the stake. I will not say whether Protestants are so exclusive; while we submit to taxation for protestant purposes, without going to the stake, whether, if we participate, they will go to the stake, is not for me to say.

Then he came to the Protestant Bible, "without note or comment," and "it was hard for him to part with that translated Bible." He stood by it, and repeated that "it was hard to give up the Bible," just as if I had said one word against it; and as if I was about to bring the Pope to banish it out of the Protestant world, or wished to deprive any man who venerates it of any use he may think proper to make of it. And there, again, he looked so much as if he were in earnest, that, at one time, I thought he was actually about to rush to the "stake." But there was no stake there to go to, except that which he holds in the exchequer of the Public School Society. It is a most comfortable way of going to martyrdom.

Sir, the gentleman taunted me for having attended the public meetings of Catholics on this subject, and he imputed the prejudice which exists against the Public School system to the observations I have made, as though it were of my creation. In answer to that I may state, what has been the fact for years, that Catholics have been struggling to have schools, and to the extent of their means we have them; and what is the reason? Do you suppose that we should impose additional burdens upon ourselves, if we were satisfied with those public schools? Do you suppose we should have paid for our bread a second time, if that which these schools offered had not, in our opinion, been turned to stone? No, the existence of our own schools proves that I have not excited the prejudice; but still it is at all times my duty to warn my people against that which is destructive or violative to the religion they profess; and if they abandon their religion they are free;—but so long as they are attached to our religion, it is my duty, as their pastor, as the faithful guardian of their principles and morals, to warn them when there is danger of imbibing poi-

son instead of wholesome food. That is the reason; and I am sorry that he has not found a motive less unworthy of me than that he has been pleased to assign.

Then—and I may as well take up the question now as elsewhere—it has been said that it is conceived to be an inconsistency in our argument, that we object to the Public Schools because religion is taught in them, and yet, in the schools which we propose to establish, or rather, which we have established, but for which we now plead, we profess to teach no sectarianism; and the question arises, “if you are opposed to religion in these schools because it is sectarianism, how can you teach religion in your schools, and yet your schools not be sectarian?” This is the position in which they place us; and in answer I have to state, that, in the first place, we do not intend to teach religion. We shall be willing that they shall be placed under the same inspection that the Public Schools are now; and if it should be found that religion is taught, we will be willing that you shall cut them off. You shall be the judges. You may see that the law is complied with, and if we violate it, let us be deprived of the benefits for which the conditions were prescribed. But there is neutral ground on which our children may learn to read and cipher. If they read, it must be something that is written; words are signs of ideas, and in the course of their instruction they may be made so to shape their studies, as to loathe Catholicism, without learning any other religion. And this could be produced, not alone in reference to Catholics, but Presbyterians, Methodists, Unitarians, or any other. They might find that their children disregard their own religion, while they are not taught any other. Suppose the Presbyterians, or any other denomination, were in the minority, and Catholics were numerically what Protestants are now, and therefore were able to decide what lessons their children should read in these schools, I ask you if the gentleman would not conceive he had reasonable objections, if they had forced upon them a system of education which teaches that their denomination, past, present, and to come, was deceitful? Now, take up these books, which teach all that is infamous in our history; which teach our children about the “execution of Cranmer,” the burning of Huss, and “the character of Luther.” If such a practice were reversed, what would he do?

Now, in our schools, I would teach them—I would give our children lessons for exercise in reading, that should teach them that when the young tree of American liberty was planted, it was watered with Catholic blood, and that therefore we have as much right to every thing common in this country as others. I should teach them that Catholic Bishops and Catholic Barons at Runnymede wrung the charter of our liberties—the grand parent of all known liberty in the world—from the hands of a tyrant. I should teach them where to find the bright spots in our history, though the gentleman who represents the Methodists knew not where they were to be found. This I would do, and should I violate the law? If, instead of the burning of Huss, I gave them a chapter on the character of Charles Carroll of Carrollton, as a reading lesson, would that be teaching them of Purgatory, and the doctrine of Transubstantiation?

But if our circumstances were reversed, so that Catholics controlled the public schools, would not Presbyterians have a right to complain?—and should not we be tyrants while we refused to listen to their complaints, if

we spread before *their* children lessons on the burning of Servetus by Calvin, and on the hangings of members of the Society of Friends by those who held Calvin’s doctrines? I should listen to their appeal in such a case with feelings far different from those manifested by them in regard to others. But I would do more, in order that those little vagrants, of whom the gentleman speaks might come into school. Their parents themselves having by persecution been deprived, in many instances, of an education, do not fully appreciate its advantages, and if you seek to enforce the attendance of their children, they will resist; if you attempt to coerce them you will not succeed. But if you put them in a way to be admitted without being dragged by force to the school, or without destroying their religious principles when they enter, (which you have no right to do,) then you will prepare good citizens, educated to the extent that will make them useful to their country. Then their parents, having confidence in their pastors, will send their children to schools approved of by them—and the children themselves may attend schools where they need not be ashamed of their creed, and where their companions will not call them “Papists,” and tell them that ignorance and vice are the accompaniments of their religion. That will be the result, and I conceive it will be beneficial.

Much has been said about the distinction between morality and religion, and about those certain broad principles on which it is thought all can agree. And yet our opponents contend, and I am surprised at the circumstance—gentlemen who are not only christians themselves but christian ministers, contend all through, for the rights of those who are not of the Christian religion, but are commonly called Infidels. An attempt has been made to draw a distinction between morality and religion. I have already said, and there is not a gentleman here who will pretend to deny it, that morality must rest on religion for its basis. I refer you, and it is not an ordinary authority, to a man who passed through life with the most beautiful character and the most blameless reputation, that ever fell to the lot of a public man—one who was distinguished almost above all other men; one, of whom it would be profane to say that he was inspired, yet, of whom history has not handed down one useless action, or one single idle word, a man who left to his country an inheritance of the brightest example, and the fairest name that ever soldier or statesman bequeathed to a nation—that man was George Washington. Hear what he says in his *FREE:LL ADDRESS*, on the attempt now being made to preserve morality whilst religion is discarded from the public schools.

“Of all the dispositions and habits which lead to political prosperity, religion and morality are indispensable supports. In vain would that man claim the tribute of patriotism, who should labor to subvert these great pillars of human happiness, these firmest props of the duties of men and citizens. The mere politician, equally with the pious man, ought to respect and to cherish them. A volume could not trace all their connexions with private and public felicity. Let us be simply asked, where is the security for property, for reputation, for life, if the sense of religious obligations DESERT the oaths, which are the instruments of investigation in courts of justice? And let us with caution indulge the supposition, that morality can be maintained without religion. Whatever may be conceded to the influence of refined education on minds of peculiar structure, reason and experience both forbid us to expect that national morality can prevail in exclusion of religious principle.

“Tis substantially true, that virtue or morality is a necessary spring of popular government. The rule indeed extends with more or less force to every species of free government. Who that is a sincere friend to it can look with indifference upon attempts to shake the foundation of the fabric?”

Such is the warning, the solemn warning of this great man. If you take away religion, on what foundation do you propose to rear the structure of morality? No—they stand to each other in the relation of parent and offspring, or rather they are kindred principles from the same divine source, and what God has joined together, let no man put asunder.

Now, with regard to all said by me against the Protestant Bible, I appeal to this honorable body whether I ever said one word hostile to that Bible; and yet, from the address of the gentlemen on the other side, men abroad who should read their speeches, would be led to believe that I not only entertained, but that I had uttered sentiments of hostility to that work. And it is ever thus that our principles and our feelings are misrepresented, while gentlemen profess to be conscious of entertaining no prejudice against us as Catholics. One gentleman, however, avowed his hostility to us on this ground, and for his candor I tender my acknowledgment. The whole effort of some of the gentlemen, indeed of all who have spoken on the subject, has been to show that the system must be made so broad and liberal that *all* can agree in it—but I think they contend for too much when they wish so to shape religion and balance it on its pedestal as to make it suit every body and every sect; for if Infidels are to be suited, and it is made to reconcile them to the system, I want to know whether Catholics, or any other class, are not entitled to the right to have it made to suit them.—And if every body is to be made satisfied, why is it that Catholics and others are discontented and excluded? Is it not manifest that what they profess to accomplish is beyond their reach? Now the Infidels have found able advocates in the Rev. gentlemen who have spoken in the course of this discussion—I mean the interests of Infidelity—and why is it then, that the gentlemen who plead for that side of the question, enter their protest against ours? I should like to know why there is this inconsistency. If the rule is to be general, why is it not general? I pass now to the reasoning of one learned gentleman who spoke yesterday, and defended the Protestant Bible. Now this was unnecessary in that gentleman—it was in him work of supererogation to vindicate the Protestant Scriptures—it was useless to defend a point which had not been attacked. It was time lost; and yet, perhaps, not altogether lost, for in some respects it may have been profitable enough. In entering on its defence, he said it was the instrument of human liberty throughout the world—wherever it was, there was light and liberty; and where it was not, there was bondage and darkness; and he brought it round so that he almost asserts that our Declaration of Independence had been copied from the Bible. No doubt the just and righteous principles on which that Declaration has its foundation have their sanction in the Bible, but I deny their immediate connection, and on historical grounds, for it is known that its author looked upon St. Paul as an imposter; consequently their connection is not historically true. But while the gentleman referred to our notes, (but which we disown and repudiate,) as containing principles of persecution—how was it that after the Protestant Bible, “without note and comment,” came into use, every denomination of Protestants in *the whole world* that had the misfortune, for it must have been a misfortune, to be yoked to civil power, wielded the sword of persecution, and derived their authority for so doing from the *naked text*.

Yes, in Scotland, in all her confessions of faith—in England, and I appeal to her penal laws against Catholics, and those acts by which the Puritans and Dissenters were pursued, men who had the misfortune, like ourselves, to have a conscience, were driven out, and all was done on the authority of the Bible, without note or comment, and for the public good, and the good of the Church. I do not say that the Bible sanctioned persecution, but I deny that the absence of notes is an adequate preventive. I refer to history. And almost to this day, though the Bible has been translated three hundred years, even in *liberal* governments, the iron heel of persecution has been placed on the dearest rights of Catholics. The gentleman to whom I allude said, no doubt, what he knew would be popular out of doors, for he seems, with others, to imagine that the world began at the period of the Reformation. He seems to think that every thing great originated at that period. But does he not know that eight hundred editions of the Bible had been printed before the Reformation? And does he not know that two hundred editions had been circulated in the common tongue, in the common language of the country? And has he yet to learn that the first prohibition to read the Bible, came not from a Catholic, but from a Protestant—from Protestant HENRY VIII., of “glorious memory?” He was the first to issue a prohibition, and it was not till Catholics saw the evil—not of the Bible, but the bad uses men were making of the Bible, that they placed its perusal under certain restrictions, and cautioned their people against hastily judging of it for themselves. All had been united and harmonious, but by the use, or abuse, which men made of the Bible, all became doubt and speculation, and the positive revelation of Christ was shaken or destroyed. They saw this Bible, and what then? But, while these school gentlemen contend that it is a shield against Infidelity, and that all sects here agree, how is it out of the schools? Why, no sects agreed upon it. How is it that the Bible, which is given by the inspiration of God, the God of truth, is made use of in this city even, to prove a Trinity and to disprove a Trinity? How is it that Trinitarians quote it to prove their doctrines, and Unitarians quote it to establish the opposite doctrines? How is it that whilst one says from the Bible, that God the Father is God alone, and that Christ is not equal to him, for he says, “*The Father is greater than I,*” another argues from the same Bible that the Father and Son are equal, because Christ says “*The Father and I are one*?” And another comes with the Bible in his hand, and says, I believe, and I can prove it from this Bible that Christ *alone* is the Almighty God, and the Father and the Spirit are only attributes of the same person! Why, this Bible which they say is the foundation of all truth, and they say well, when it is truly understood, a grace which God can vouchsafe, and no doubt, he does to many, this Bible is harmonious in its every doctrine. But that is not the point—the point is the uses we see men make of it, and this is the sum of our reason that we wish our children not to be taught in the manner in which Protestant children are taught in reference to the Bible.

And then, again, if you teach that there is a hell, according to the Bible, others will contend that the Scriptures teach no such doctrine, and so I might pass on to other points to show you whilst they thus contend for the Bible as the guide to truth, there is this disagreement among

them, at least in this country, where human rights and of this honorable body to the remarks of the Rev. gentleman liberties are understood, as allowing every man to judge man who spoke in relation to the Rhemish Testament. I for himself. Is there not then danger—is there no ground did use, sir, yesterday, an expression which I used with to apprehend that when our children read this Bible and reluctance, but when we were charged before this honorable body—when the Rev. gentleman who represents a find that all these different sects father all their contradictions on the Bible as their authority, they will derive numerous denomination, charged us with teaching the their first notions of Infidelity from these circumstances? But there is another ground on which it is manifest we lawfulness of murdering heretics, that expression came cannot allow our children to be taught by them. Whilst should proceed from the lips of age and a man of character. And, sir, I knew that position was not true, and that it we grant them the right to take, if they please, the Protestant Bible as the rule of their faith, and the individual right to judge of the Bible—and this great principle they was an easy matter to assert a thing, but not so easy to disprove it. I might take advantage of circumstances to proclaim as the peculiar, and distinctive, and most glorious trait in their religious character and history—and let them boast of it, there is no difficulty on the subject—they interpret the Bible by the standard of reason, and its designed influence here or elsewhere. That gentleman, therefore, as there is no given standard of reason—as man began with great humility, and with professions of one has more and another less, they scarcely ever arrive at the same result, while the Bible, the eternal Word of God, remains the same. But this is not a Catholic principle. Catholics do not believe that God has vouchsafed the promise of the Holy Spirit to every individual, but that He has given His Spirit to teach the Church collectively, and to guide the Church, and therefore we do not receive as the Bible except what the Church guarantees, and wanting this guarantee, the Methodist gentleman failed to establish the book which he produced with its notes, as a Catholic Bible. We do not take the Bible on the authority of a "King's Printer," who is a speculating publisher, who publishes it but as a speculation. And why? Because by the change of a single comma, that which is positive may be made negative, and vice versa, and then is it the Bible of the inspired writers? It is not. They proclaim, then, that theirs is a Christianity of reason; of this they boast, and let them glory. Ours is a Christianity of faith; ours descends by the teaching of the Church; we are never authorized to introduce new doctrines, because we contend that no new doctrine is true, from the time of the Apostles, unless it has come from the mind of God by a special revelation, and to us that is not manifest among the Reformers. We are satisfied to trust our eternal interests, for weal or woe, on the security of that Catholic Church, and the veracity of the divine promises. You perceive, therefore, that Protestants may agree in the system where this Bible is thus introduced; but it is not in accordance with the principles of Catholics that each one shall derive therefrom his own notions of Christianity. It is not the principle of Catholics, because they believe in the incompetence of individual reason, in matters of such importance. It is from this self-sufficiency and imputed capacity that men derive such notions of self-confidence, which, owing to a want of power to control in some domestic circles, if taught to our children, lead to disobedience and disregard of the parental authority.

I have been obliged to enter into this, which is rather theological than otherwise, to put you in possession of the true ground. We do not take the Protestant Bible, but we do not wish others not to take it if they desire it. If conscience be stifled, you do not make us better men or better citizens, and therefore I say, gentlemen, respect conscience, even though you think it in error, provided it does not conflict with the public rights. I have sufficiently disposed of the addresses of the two legal gentlemen who have spoken. I will now call the attention

of this honorable body to the remarks of the Rev. gentleman who spoke in relation to the Rhemish Testament. I did use, sir, yesterday, an expression which I used with reluctance, but when we were charged before this honorable body—when the Rev. gentleman who represents a lawfulness of murdering heretics, that expression came on me as a thunderbolt; because I thought that truth should proceed from the lips of age and a man of character. And, sir, I knew that position was not true, and that it was an easy matter to assert a thing, but not so easy to disprove it. I might take advantage of circumstances to charge a man with things that it would take weeks to disprove, and therefore I thought it necessary to nail a slanderous statement to the counter before it could have its designed influence here or elsewhere. That gentleman, therefore, as man began with great humility, and with professions of being devoid of prejudice, and then he said that those meetings to which he referred, and which he called "public gatherings," had caused him to feel greatly alarmed about this question, as if the stability of your Republic was endangered, provided Catholic children received the benefits of a common school education! He said I had applied certain remarks to the creed of the Society of Friends, and, though perhaps it was somewhat out of order, but wishing to set the gentleman right, I denied that I had done so. But since then the reporter has handed me the notes taken of what I did say, and from them it appears that I said no such thing. He referred to the practice of teaching religion in the schools; but of that I have disposed already.

He then, while going through the introductory part of the remonstrance of the Methodist Episcopal church, threw out constantly calumnious charges against the Catholic church and the Catholic religion; he did not throw them out as assertions but by intendo, as "if it be true," and "I should like to know," as if I am here for the purpose of supplying every thing he would "like to know." And how can I meet him when insinuation is the form in which his charges are thrown out? Why, their very feebleness takes from an opponent the power of refutation. But when he comes to something tangible, then I can meet him. Having gone through a series of insinuations, he misrepresents our intentions: notwithstanding we disclaim such an intention, he indulges in the gratuitous supposition that if your honorable body should grant our petition, we shall secretly teach the Catholic religion. But if we do, is not the law as potent against us as against the Public Schools? If they teach religion, as they acknowledge, why may not we? We are not grasping to obtain power over others, but we desire in sincerity to benefit a portion of our own neglected children. I shall pass over, therefore, a great deal of what the gentleman "would like to know," for I do not know if it is of importance to the subject.

He said, this Rhemish Testament was published by authority; but he began by a retreat and not by a direct charge, "he did not profess to say that our church approved of it; but it was printed and published and it was not on the Index," as if every bad book in the world, must be in the Index; and with this evidence of fact, he comes here and spreads before the American people the slander and calumny that the Catholics by their notes and comments, teach the lawfulness of murdering heretics. Now, Sir, I will take up that

book and the parts he read with the notes, giving an explanation, as though they came from Catholics. Do you know the history of that book, Sir? If not, I can tell you. When Queen Elizabeth scourged the Catholics from their altars and drove them into exile, these men held a common notion, which was natural and just, that England was their country and that they were suffering unmerited persecution. The new religion, not satisfied with toleration for itself, grasped the substance of things, grasped the power of the State, seized all their temples; and not even satisfied with this, scourged the Catholics from their home and country; and they did write these notes, and why? They wrote them in exile, smarting under the lash and the torture, and in connection too with a plan for the invasion of England, by Philip II. of Spain. Their object was to disseminate amongst Catholics of England dissattement to Queen; Elizabeth and thus, dispose them to join the true Catholic and oppose the heretics, because the heretics were their enemies, were the enemies of their rights, and had crushed them. But when that book appeared in England, was there a single approval given it, a single Catholic that received it? Not one. When it was published for political ends—to aid the invasion of Philip—did the English Catholics receive it? Never. But the gentleman said it was published by the Bishops of Ireland, and with their approbation and with the approbation of a great number of the Catholic clergy; and this after his own admission that, insomuch as it had not been approved by the Holy See, the Bishop of Rome, it was not of authority in the Catholic church. Now I shall take up both parts, and first I should like to know where is his authority, that it was published by the Bishops of Ireland? I pause for a reply, and I shall not consider it an interruption.

Dr. BOND. Do you wish an answer?

Bishop HUGHES. I do, Sir; I desire your authority.

Dr. BOND. Why if we are to believe history, it is true; it is stated in the British Critic.

Bishop HUGHES. Oh! I am satisfied.

Dr. BOND. It could not have been reviewed if it did not exist.

Bishop HUGHES. Oh! It is here, and that proves its existence without the British Critic. It was gone out of print again, and not a Catholic now heard of it, but your liberal Protestant clergymen of New York, republished it. What for? To bring infamy on the Catholic name; and it was from this Protestant edition, and not from Ireland that the Methodist gentleman received it. I am now not surprised at his saying so often that he would "like to know," for a little more knowledge would be of great advantage to him. I need not read it.

Dr. BOND. Oh, you had better.

Bishop HUGHES. Well, Sir, any thing to accomodate you.

"It is a remarkable fact, that notwithstanding the Vulgate New Testament, as it was translated and expounded by the members of the Jesuit College at Rheims in 1582, has been republished in a great number of editions, and their original annotations, either more or less extensively, have been added to the text; yet as soon as it is appealed to as an authority, the Roman Priests admit both the value of the book, and the obligation of the Papists to believe its contents. We have a very striking modern instance to prove this deceitfulness."

Now it must be recollected that this is a Protestant

publication; the Catholics did not circulate it, but the Protestant Ministers did, to mislead their flocks and to bring infamy on their Catholic fellow citizens.

"The Douay Bible is usually so called, because although the New Testament was first translated and published at Rheims, yet the Old Testament was printed some years after at Douay; the English Jesuits having removed their Monastery from Rheims to Douay, before their version of the Old Testament was completed. In the year 1816, an edition, including both the Douay Old, and the Rheinish New Testament, was issued at Dublin, containing a large number of comments, replete with impiety, irreligion, and the most fiery persecution. That edition was published under the direction of all the Dignitaries of the Roman Hierarchy in Ireland; and about three hundred others of the most influential subordinate Priests."

Now I called for the gentleman's evidence for this, and the gentleman was found *minus habens*—he has it not to give. The prints said so, and he believed the prints! Now, Sir, this is a grave charge and I am disposed to treat it gravely; but I should not feel worthy of the name of a man, I should feel myself unworthy of being a member of the American family, if I had not risen and repelled such a charge as it deserved.

Dr. BOND. You have not read all I read.

Bishop HUGHES. I will read all the gentleman may wish if he will not keep me here, reading all night.

"The notes which urged the hatred and murder of Protestants, attracted the attention of the British churches, and to use the words of T. Hartwell Horne, that edition of the Rheinish Testament printed at Dublin in 1816, corrected and revised and approved by Dr. Troy, Roman Catholic Archbishop of Dublin, was reviewed by the British Critic, vol. 8. p. 296—308; New Series; and its dangerous tenets both civil and religious, were exposed."

That is the testimony.

Dr. BOND. There is another paragraph.

Bishop HUGHES. Well, I will read the other.

"This publication, with many others of a similar character, produced so great an excitement in Britain, that finally several of the most prominent of the Irish Roman Prelates were called before the English Parliament to prove their own work. Then, and upon oath, with all official solemnity, they peremptorily disclaimed the volumes published by their own instigation, and under their own supervision and auspices, as books of no authority; because they had not been ratified by the Pope, and received by the whole Papal church."

Now, what authority have we for this charge of perjury against the Irish Bishops, better than the gentleman's own? It is so stated here; what authority is there for that?

Dr. BOND. It was so stated before the British Parliament.

Bishop HUGHES. I should regret, on account of your age, if I used any expression that might be deemed harsh.

Dr. BOND. Take the liberty to say what you please.

Bishop HUGHES. With regard to these notes, I have to observe, that they were written in an age, (1582) when the rights of conscience were but little understood. Protestants in that age every where persecuted, not only Catholics, but each other. And long after, the Puritans of New England with the Bible, and without notes, perse-

cuted with torture, and even to hanging their fellow Protestants. It was not wonderful, therefore, if in such an age Catholics were found to entertain the opinions set forth in the notes. But bad as they are, it is remarkable that they do not sustain the calumnious charge of the Rev. Gentleman, that they "teach the lawfulness of murdering heretics."

And now, Sir, let me call your attention to the book itself.

In the 13th chapter of St. Matthew, there is this text, at the 29th verse. It occurs in the Parable of the cockle (in the Protestant version *tares*) and the wheat, in answer to Christ's Disciples who asked: "Wilt thou that we gather it up?" And he said, no: *Lest perhaps gathering up the cockles, you may root up the wheat also together with it.* The annotation to this is:

"Ver. 29. *Lest you pluck up also.* The good must tolerate the evil when it is so strong that it cannot be redressed without danger and disturbance of the whole Church, and commit the matter to God's judgment in the latter day. Otherwise, where ill men, be they Heretics or other malefactors, may be punished or suppressed without disturbance and hazard of the good, they may, and ought, by public authority, either spiritual or temporal, to be chastised or executed."

They may and ought "by public authority!" Why the proposition of the gentleman was, that Catholics were taught to kill their Protestant neighbors. Now there is not throughout the whole volume a proposition so absurd as the idea conveyed by him. Bad as the notes are they require falsification to bear him out.

Again, Luke, 9 ch. v. 54. 55: *And when his Disciples James and John had seen it, they said, Lord wilt thou we say that we come down from heaven and consume them? And turning he rebuked them, saying, You know not of what spirit you are.* Annotation :

"Ver. 55. *He rebuked them.* Not justice, nor all rigorous punishment of sinners is here forbidden, nor Elias' fact reprehended, nor the Church or Christian Prince blamed for putting Heretics to death. But none of these should be done for desire of our particular revenge, or without discretion and regard of their amendment, and example to others. Therefore Peter used his power upon Ananias and Saphire when he struck them both down to death for defrauding the Church."

I am afraid I shall fatigue this honorable body by going over these notes, nor is it necessary that I should follow the gentleman in all his discursive wanderings. There is nothing in this to authorize the murdering of heretics.

But, again, Luke 14 ch. 23 v. *And the Lord said to the servant, Go forth unto the ways and hedges; and compel them to enter, that my house may be filled.* Annotation :

"*Compel them.* The vehement persuasion that God useth, both externally, by force of his word and miracles, and internally by his grace, to bring us unto him is called compelling: not that he forceth any to come to him against their wills, but that he can alter and mollify a hard heart, and make him willing, that before would not. Augustine, also, refertoeth this compelling to the penal laws, which Catholic Princes do justly use against Heretics and Schismatics, proving that they who are by their former profession in Baptism subject to the Catholic Church, and are departed from the same after sects, may, and ought to be compelled into the unity and society of the Universal Church, again; and therefore, in this sense, by the two former parts of the parable, the Jews first, and secondly the Gentiles, that never believed before in Christ were invited by fair, sweet means only; but by the third, such are invited as the Church of God hath power over, because they promised in Baptism, and therefore are to be revoked not only by gentle means, but by just punishment also."

Sir, the punishment of spiritual offences and the allusions here made to it, have their roots too deep, and too wide spreading to be entered into and discussed in the time that I could occupy this evening. It would be impossible to go over the historical grounds which suggest themselves in connection with the subject, to shew the re-

sults to the state of society, which grew unavoidably out of the breaking up of the Roman Empire, and the incursion of new and uncivilized nations and tribes. Society had been dissolved, with all the order and laws of the ancient civilization. It was the slow work of the church to re-organise the new and crude materials—to gather and arrange the fragments—to re-model society and social institutions as best she might. There was no other power that could digest the crude mass; the fierce infusions of other tongues and tribes and nations that had, during the chaos, become mixed up with the remains of ancient Roman civilization. She had to begin by religion, their conversion to Christianity being the first step; and the Catholic church being the only one in existence. Hence the laws of religion are the first with which those new populations became acquainted, and the only ones that could restrain them. Hence too, what is called Canon Law went before, and Civil Law gradually followed, often times mixed with, and deriving its force from the older form of legislation. The actual state of society made it unavoidable that this should be the order of things. Civil Princes, oftentimes engrafted whole branches of the ecclesiastical law in their secular codes; and ecclesiastical judges were often the interpreters and administrators of both.

Canonical law and civil law thus blended, became the codes of civil government, from the necessity of the case, and it is to this state of things that the authors of the notes make allusion in their text. But, as I have remarked, the subject is too deep to be properly discussed on this occasion, when time is so brief, and so many speakers to be replied to.

We now come to Acts, 25 v. 11.

"*I appealed to Cesar.* If Paul, both to save himself from whipping and from death, sought by the Jews, doubted not to cry for honor of the Roman laws, and to appeal to Cesar, the Prince of the Romans, not yet christened, how much more may we call for aid of Christian Princes and their laws, for the punishment of Heretics, and for the Church's defense against them. *August. Epist. 50.*"

Here you see the working of human interest; and it is not the first time, among Protestants and Catholics, nor will it be the last, that men have made the word of God and sacred things, a stepping-stone, to promote temporal interests. They say there, "heretics have banished us and it is not naturally the interest of Catholics to join a Catholic Prince to put down our stern persecutors." As if they had said to their fellow Catholics of England, a Catholic Prince will soon make a descent on our country, it will be your duty as it is your interest, to join in putting down the heretic Elizabeth, who has driven us from our country.

I go now to Hebrews, ch. 10. v. 29. *How much more think you, doth he deserve worse punishments which hath trodden the Son of God under foot, and esteemed the blood of the Testament polluted wherein he is sanctified, and hath done contrarily to the spirit of grace?* Annotation :

"*The blood of the Testament.* Whosoever maketh no more account of the blood of Christ's sacrifice, either as shed upon the cross, or as in the chalice of the altar, for our Saviour calleth that, also, the blood of the New Testament, than he doth of the blood of calves and goats, or of other common drinks, is worthy death, and God will in the next life, if it be not punished here, revenge it with grievous punishment."

"*God will in the next life punish!*" Why, after all, bad as these notes are, objectionable and scorned and repudiated as they were by the Catholics of England; bad as they are, they do not sustain the gentleman whose assertion has gone as far beyond the truth, as it is infinitely

beyond charity. I do not find the notes from the Apocalypse, which would have gone to shew in like manner that, bad as they were, they do not support the accusations made.

Dr. BOND. There are others as well.

Bishop HUGHES. Well, I will give you the rest.

The PRESIDENT. Perhaps it is not necessary. But if they are, it is not necessary to interrupt the gentleman.

Bishop HUGHES. Such then sir, are the notes put by the Catholic translators of the New Testament at Rheims in 1582—smarting as they were under the lash of Elizabeth's persecution, and looking forward with hope to the result of the invasion by Philip II. They were repudiated indignantly by the Catholics of England and Ireland from the first; and were out of print, until some Protestant ministers of New York had them published in order to mislead the people and to excite odium against the Catholic name.

But here, Sir, is the acknowledged Testament of all Catholics who speak the English language; this is known and may be read by any one, it is the 14th edition in this country, it corresponds with those used in England and Ireland; and if any such notes can be found in it, then believe Catholics to be what they have been falsely represented to be.

But the Rev. gentleman disclaims originating the slander. He took, it we are told, from the 'British Critic,' as if that which is false must become true, from the moment it is put in type and printed. But, Sir, he should have known that the article in the British Critic was refuted at the time, and has been since refuted in the Dublin Review. And it so happens that Doctor Troy, then Catholic Archbishop of Dublin, and who is here represented as having approved these notes, had to sustain a law-suit with the Dublin publisher, who was also a Protestant—not for approving the work, but for DENOUNCING it, which destroyed the publisher's speculation, and involved a suit against the Archbishop for damages!! This is attested by Dr. Troy's letter, now before me, and by the legal proceedings, and in a speech made by Daniel O'Connell to the CATHOLIC BOARD at the time, (1817,) we find the following:—

"From the Dublin Evening Post of the 6th of December, 1817.

CATHOLIC BOARD.—THE RHEIMISH BIBLE.

A remarkably full meeting of the Catholic Board took place on Thursday last, pursuant to adjournment—OWEN O'CONNELL, Esq., in the Chair.

After some preliminary business, Mr. O'CONNELL rose to make his promised motion, for the appointment of a Committee to prepare a denunciation of the intolerant doctrines contained in the Rheimish Notes.

Mr. O'Connell said, that on the last day of meeting he gave notice that he would move for a committee, to draw up a disavowal of the very dangerous and uncharitable doctrines contained in certain notes to the Rheimish Testament. He now rose in submit that motion to the consideration of the Board. The late edition of the Rheimish Testament in this country gave rise to much observation;—that work was denounced by Dr. Troy; an action is now depending between him and a respectable bookseller in this city; and it would be the duty of the Board not to interfere, in the remotest degree, with the subject of that action, but, on the other hand, the Board could not let the present opportunity pass by of recording their sentiments of disapprobation and even of abhorrence of the bigoted and intolerant doctrines promulgated in that work. Their feelings of what was wise, consistent, and liberal, would suggest such a proceeding, even though the indecent calumnies of their enemies had not rendered it indispensab. A work called *The British Critic*, h.d. no doubt, been read by some gentlemen who heard him. The circulation of the last number has been very extensive, and exceeded, almost beyond calculation, the circulation of any former number, in consequence of an article which appeared in it on the late edition of the Rheimish Testament. He (Mr. O'Connell)

said he read that article; it is extremely unfair and uncandid; it gives with audacious falsehood, pas ayes, as if from the notes of the Rheimish Testament, which cannot be found in that work; and, with mean cunning, it seeks to avoid detection by quoting, without giving either text or page. Throughout, it is written in the true spirit of the Inquisition, it is violent, vindictive, and uncharitable. He was sorry to understand that it was written by ministers of the Established Church; but he trusted, that when the charge of intemperance should be again brought forward against the Catholics, their accusers would cast their eyes on this coarse and illiberal attack—here they may find a specimen of real intemperance. But the very acceptable work of imputing principles to the Irish people which they never held, and which they abhor, was not confined to *The British Critic*. *The Courier*, a newsaper whose circulation immense, lent its hand, and the provincial newspapers throughout England—those papers which are forever silent when any thing might be said favorable to Ireland, but are ever active to disseminate whatever may tend to her disgrace or dishonor. They have not hesitated to impute to the Catholics of this country the doctrines contained in those offensive notes—and it was their duty to disclaim them. Nothing was more remote from the true sentiments of the Irish people. These notes were of English growth; they were written in agitated times, when the title of Elizabeth was questioned, on the grounds of legitimacy. Party spirit was then extremely violent; politics mixed with religion, and, of course, disgraced it. Queen Mary, of Scotland, had active partisans, who thought it would forward their purposes to translate the Bible, and add to it those obnoxious notes. But very shortly after the establishment of the College at Douay, this Rheimish edition was condemned by all the Doctors of that Institution, who, at the same time, called for and received the aid of the Scotch and Irish Colleges. The book was thus suppressed, and an edition of the Bible, with notes, was published at Douay, which has ever been since adopted by the Catholic Church; so that they not only condemned and suppressed the Rheimish edition, but they published an edition, with notes, to which no objection has, or could be, urged. From that period there have been but two editions of the Rheimish Testament; the first had very little circulation; the late one was published by a very ignorant printer in Cork, a man of the name of M'Namara, a person who was not capable of distinguishing between the Rheimish and any other edition of the Bible. He took up the matter merely as a speculation in trade. He meant to publish a Catholic Bible, and having put his hand upon the Rheimish edition, he commenced to print it in numbers. He subsequently became bankrupt, and his property in this transaction vested in Mr. Cumming, a respectable bookseller in this city, who is either a Protestant or Presbyterian; but he carried on the work, like M'Namara, merely to make money of it, as a mercantile speculation; and yet, said Mr. O'Connell, our enemies have taken it up with avidity; they have asserted that the sentiments of those notes are cherished by the Catholics in this country. He would not be surprised to read of speeches in the next Parliament on the subject. It was a hundred to one but that some of our briefless barristers have already commenced composing their dull calumnies, and that we shall have speeches from them, for the edification of the Legislature, and the protection of the Church.—There was not a moment to be lost—the Catholics should, with one voice, disclaim those very odious doctrines. He was sure there was not a single Catholic in Ireland that did not feel as he did, abhorrence at the principles these notes contain. Illiberality has been attributed to the Irish people, but they are grossly wronged. He had often addressed the Catholic people of Ireland. He always found them applaud every sentiment of liberality, and the doctrine of perfect freedom of conscience; the right of every human being to have his religious creed, whatever that creed might be, unpoluted by the impious interference of bigoted or oppressive laws. Those sacred rights, and that generous sentiment, were never uttered at a Catholic aggregate meeting, without receiving at the instant the loud and the unanimous applause of the assembly.

"It might be said that those meetings were composed of mere rabble. Well, be it so. For one he should concede that, for the sake of argument. But what followed? Why, just this:—that the Catholic rabble, without the advantages of education, or of the influence of polished society, were so well acquainted with the genuine principles of Christian charity, that they, the rabble, adopted and applauded sentiments of liberality, and of religious freedom, which, unfortunately, met but little encouragement from the polished and educated of other sects."

(Then follows the passage which we have quoted in the preceding article.)

"Mr. O'CONNELL's motion was put and carried, the words being amended thus:—

"That a Committee be appointed to draw up an address on the occasion of the late publication of the Rheimish Testament, with a view to have the same submitted to an aggregate meeting."

Such, Sir, are the history and the authority of the notes put to the Rheimish translation of the New Testament. The denunciation of Dr. Troy, spoiled the sale of the work in Ireland, and the publisher's sent the remaining copies for sale to this country; but even this did not remunerate him, as his loss was estimated at £500 sterling. It must have been from one of these exiled copies, that the Protestant edition published in this city, now produced, was taken. These being the facts of the case, if I were a Protestant, I should feel ashamed of a clergyman of my church, who, from either malice or ignorance, should take up such a book, with the unchristian view of blackening the character of any denomination of my fellow citizens. But not only this, Sir, but look at the array of the names of Protestant Ministers in this city certifying, contrary to the fact, that this text and these notes are by the authority of the Catholic church, and then say, whether there is no prejudice against the Catholics! I shall now dismiss the subject.

Sir, the Methodist gentleman, in the whole of his address, in which he made the charge I have now disposed of, and of which I wish him joy, slyly changed the nature and bearing of my language in the remarks I made last evening. For instance, respecting Purgatory, of which I observed if they were not satisfied with our Purgatory and wished to go farther, they might prove the truth of the proverb, which says they may "go farther and fare worse." He said I "sent" them farther. But that corresponds with the rest. I did not send them farther. I here disavow such feelings in the name of human nature and of that venerable religion which I profess.

But he has seen that "betting," as he was pleased to call it, is a sin, because forsooth, "he would get my money without an equivalent." Now I think he suspected the contrary. But I did not propose betting. His calumny had taken me by surprise; but was it not fortunate, almost providential, that I had at hand a direct refutation, for if his charge had gone abroad uncontradicted, the ignorant or bigoted would have taken it on his authority, and quoted it with as much assurance as he did on that of the British Critic—and for the same unwholly purpose. He took me I say at an unfair moment, and then it was I stated that if the gentleman could prove his charge—there were gentlemen here who had confidence in my word, and I said I would pledge myself to forfeit \$1000 to be distributed in charities to the poor, as this council might direct, provided he would agree to the same forfeiture, if he failed to prove it. This is not betting.

He says that his church has taught him the sinfulness of betting. But this did not deserve that name. It was only an ordeal to test his confidence in the veracity of the slander contained in the Methodist Remonstrance. I may not indeed, have the same scruples about what he calls gambling, that he has; but I do remember, what he seems to have forgotten, that there is a precept of the Decalogue—a commandment of the living God, which says: "Thou shalt not bear false witness against thy neighbour."

I now pass to another portion of this gentleman's remarks. He contends that it is impossible to furnish reading lessons from history for the last ten centuries, without producing what must be offensive to Catholics. The history of Catholics is so black, that the Public Schools could not, in his view, find a solitary bright page to refresh the eye of the Catholic children. This is set forth in the Remonstrance of the Methodist Episcopal Church, and this

the Rev. gentleman undertook to support in his speech. He said that history must not be falsified for our accommodation. That the black and insulting passages against us and our religion, placed in the hands of our children at the Public Schools, were not to be charged as a defect in the system—inasmuch as the Trustees could find worse, but would be obliged to falsify history itself to find better. From this defence you can judge what confidence Catholics can place in this Society, or in the schools under their charge.

I contended that there existed portions of history eminently honourable to Catholics. But, says he, "history is philosophy, teaching by example—the good and the bad must be taken together." Then how does it happen that the bad alone is presented in the Public Schools? Besides, if all the good and all the bad which history ascribes to Catholics must be presented, it would make a library rather large for a class-book in the Public Schools. Hence the necessity of a selection; and how is it, that in the selection the bad is brought out, and the good passed over in silence as if it did not exist? Why is the burning of Husa selected? Why the burning of Cranmer? Why are our children taught in the face of all sense and decency, that Martin Luther did more for learning, than any other man "since the days of the Apostles!" Why is "Phelin Mashee" represented as "sealing his soul with wafer,"—in contempt to the holiest mystery, known to Catholics, the Sacred Eucharist? Why are intemperance and vice set forth as the necessary and natural effects of the Catholic Religion? All this put in the hands of Catholic children, by this society, claiming to deserve the confidence of Catholic parents!

Now the Methodist gentleman says that all this is right—that the Trustees could not possibly within the last ten centuries, find history which would not be offensive to Catholics—and that to make it otherwise, it must be falsified. Now, Sir, I should like to know, whether it can be expected that we should have any confidence in schools, for the support of which we are taxed, in which our religious feelings are insulted, our children perverted, and whose advocates tell us gravely that we ought to be satisfied, that things cannot be otherwise, unless history is to be falsified for our convenience! To this we never shall consent. Religious intolerance has done much to degrade us, and its most dangerous instrument was depriving us of education.

The gentleman (Dr. Bond) has corrected some of my remarks of last evening, on the Methodist Episcopal Church. The fact is, the style of Remonstrance presented here, as emanating from that church, imposed on me the necessity of alluding to the history and principles of that denomination. It is unpleasant to me at any time, to use language calculated to wound the feelings of any sect or class of my fellow citizens. But they who offer the unprovoked insult, must not complain of the retort. I stated that the Methodists in England had never done a solitary act to aid in the spread of civil and religious liberty in that country; that whilst the Catholics aided the Dissenters in obtaining the repeal of the Test and Corporation Acts, the Methodists never contributed to that measure, by so much as one petition in its favour. But it appears I fell into a mistake, which the gentleman corrected with great precision and gravity. The "Methodist Society," in England, he tells us, is something quite different from the "Methodist Episcopal Church," in the

United States. The former consider themselves only as a society in the Established Church, just as the religious orders, the Dominicans, Jesuits, &c., are in the Catholic communion. Certainly it is new to me to learn that the Methodists and the church of England are in such close and affectionate spiritual relationship. For although the Methodists consider themselves a society within the pale of the Establishment, the members of the Established church are quite of a different opinion, since it was only the other day that I read of a Presbyter of that church having been suspended by his Bishop, for having preached in a Methodist Meeting-house! So that the affection of the Methodists for the Church of England, does not appear to be very cordially reciprocated.

This gentleman tells us that the Methodists who are only a 'Society' in England are an 'Episcopal church in America.' Yes, sir, Mr. Wesley, who was himself but a *Priest*, actually consecrated a *Bishop* for the United States! And hence the Methodist *Episcopal Church*—a new order of Episcopacy, deriving their authority and character from Mr. John Wesley, a mere *Priest*. But with or without Bishops, their whole history proves how much they imbued of the intolerance of the established Church of England, to which he tells us they are so intimately allied in that country, but which at all times spurns the connexion. This same John Wesley held and wrote that no government ought to grant toleration to Catholics—because, forsooth, either from ignorance of Catholic doctrines or bigotry against them, he was pleased to believe and assert falsely that they held it lawful to murder heretics. When the government of Great Britain was about to mitigate the code of penal laws and persecution against the Catholics in 1780, who was more fervent and fanatical in opposition to the exercise of mercy than John Wesley? The great object of the Protestant Association, headed by Lord George Gordon, was to oppose the least mitigation of severity. Who was more active in the intellectual operations of that society than Mr. John Wesley? Under the leadership of Lord George Gordon they raised a rebellion in that year, and when the mob had plundered, destroyed, and burnt the houses and churches of the Catholics, spread consternation throughout the city of London, and caused human blood to flow in torrents, we have this same Wesley with sanctimonious gravity charging it all on the Catholics—the victims of its fury—and contending that it was a "Popish plot." His services in that Association had been acknowledged by a *unanimous vote of thanks*, dated February, 17th of that very year. This was in 1780—when the mighty events which had occurred in this country taught the British government the expediency of relaxing the penal laws against so large a portion of her subjects in England and Ireland. The rebound of those events had been felt throughout the world. They were the events created and accomplished by the great fathers of this Republic, then struggling into existence; and whilst Catholics and Protestants fought bravely side by side in the ranks of independence,—while a Catholic Carroll was signing its charter—and another Carroll, a Priest, and (tell it not in Gath) a Jesuit, was employed on an embassy to render the population of Canada friendly, or at least not hostile to our struggle... whilst a Catholic Commodore Barry was doing the office of a founder and father to our young and gallant Navy... what was John Wesley doing? He was creeping to the British throne to lay at the feet of His Majesty's government the offer to raise a regiment and put them at the disposal of the crown, expressly to put down what he called the "American Re-

bellion,"...to crush the rising liberties of your infant country!

Now, sir, I think I was authorized to state that the Methodists have done as little for the spread of human liberty, the rights and equality of mankind, as any other denomination—no matter how old or how young. If they have not done extensive mischief, of which the gentleman boasts, it is to be remembered that they never possessed supreme civil power, and that in the order of time they have been too insignificant, and are still too juvenile to have done extensive evil. If they have done private good as the gentleman contends, I confess it reminds me of Stephen Girard's charity. He was exceedingly rich; and because he was rich, people thought he was very wise. And inasmuch as he despised all external show of religion, it was inferred he was very charitable to the poor, without however making a display of it. If it was so, no man ever practiced better the counsel of the Gospel "not to let the left hand know what the right hand doeth" in the matter. It was so private that no one ever could find it out. So it is with the Methodist Church with regard to any public benefit ever conferred on mankind—we have yet to hear of it.

I will now satisfy the gentleman on another subject which seems to trouble him and on which he "should like to know." And as other gentlemen have alluded to it, I hope the same explanation will suffice in reply to them all.

Before the British government released the Catholics from the penalties under which they labored, among which not the least was the exclusion of the schoolmaster, they called upon them to disavow principles which they knew Catholics did not entertain. But in order to reconcile the prejudices of the English people, they had an investigation of those imputed principles before the houses of Parliament—they called upon some distinguished Catholic citizens and questioned them on several points such as those the gentleman has so frequently referred to, among which was the spiritual authority of the Pope. From the testimony which they took I now quote. It is part of the testimony of Dr. DOYLE, Bishop of Kildare—but other Bishops and public men were all examined on the same subject.

Question. "According to the principles which govern the Roman Catholic Church in Ireland, has the Pope any authority to issue commands, ordinances, or injunctions, general or special, without the consent of the King?"

Answer. "He has."

Question. "If he should issue such orders, are the subjects of His Majesty, particularly the clergy, bound to obey them?"

Answer. "The orders that he has a right to issue must regard things that are of a spiritual nature; and when his commands regard such things the clergy are bound to obey them; but were he to issue commands regarding things not spiritual, the clergy are not in anywise bound to obey them."

Consequently if His Holiness, as the gentleman, Mr. KETCHUM, said, should forbid the reading of the Declaration of Independence, it would not be of any authority.

Mr. KETCHUM. Does the book say so?

Bishop HUGHES. I am authority myself in matters of my religion. Surely, sir, I am not here to betray it, and I am astonished that the gentleman is not better acquainted with history on the matter. He amused us a little while ago with the idea of what terrible consequences might ensue if the Pope, a "foreign potentate," should forbid us to read the Declaration of Independence—or forbid the reading of the Bible in our Common Schools. He even apologized for his alarm with singular simplicity—"he meant

no reflection. This matter had come out in evidence here." It was then, sir, I wondered at his not having read history, or having read it to so little advantage.

Did he not know, that long before the Declaration of Independence, Venice rose out of the sea, a Catholic state, with all her republican glory round about her? And when the Pope, in his capacity of "foreign potentate," attempted to invade her temporal rights, her Catholic sons did what they ought to have done, they unsheathed their swords and routed his troops. Did they thereby forfeit their allegiance to him as spiritual head of the church on earth? Not an iota of it. To a man who reads history and understands it, this fact alone points out the difference, in the creed of Catholics, between the Pope and the Potentate. The Venitians knew that the Pope in his spiritual capacity, belongs to a kingdom which is not of this world. And the allegiance of Catholics to him, out of his own small dominions, is due to him only in his spiritual capacity. Whatever temporal right was acquired over independent states by the Popes in former ages, was owing to no principle of Catholic doctrine, but purely to the disorders of the times and the pusillanimity of weak rulers, who in order to secure the Pope's protection, made themselves his vassals. The Popes in such circumstances would have been mere or less than men, had they refused to embrace these opportunities of aggrandizement so placed within their reach, and often pressed upon them. Now every Catholic is familiar with this view of the subject, and yet, except a few of larger minds and better education, it has hardly penetrated the density of protestant prejudice. Hence you hear them giving the most absurd construction to the duties of Catholics between the supposed conflicting claims of their country, and the imputed principles of their religion. Permit me here to call your attention to the true and beautiful exposition of the case as set forth in the language of a gentleman, who, though a Catholic, is acknowledged to be a man of as high honor, as lofty and patriotic principles, and as unblemished a character, as any man the nation can boast of; I mean Judge GASTON of North Carolina. The state has no son of whom she is, or ought be, prouder. And yet up till within a few years, the laws of that state disqualified a Catholic from holding any, even the office of a constable. In a speech made by Judge Gaston in the Convention for revising the State Constitution, in reference to this matter, he says:

"But it has been objected, that the Catholic religion is unfavorable to freedom, nay even incompatible with republican institutions. ingenious speculations on such matters are worth little, and prove still less. Let me ask who obtained the great charter of English freedom, but the Catholic prelates, and barons at Runnemede?—The oldest—the purest democracy on earth, is the little Catholic republic of St. Mavino, not a day's journey from Rome. It has existed now for fourteen hundred years, and is so jealous of arbitrary power, that the executive authority is divided between two Governors, who are elected every three months. Was William Tell, the founder of Swiss liberty, a royalist? Are the Catholics of the Swiss cantons in love with tyranny? Are the Irish Catholics friends to passive obedience and non-resistance? Was Lafayette, Pulaski, or Kosciusko, a foe to civil freedom? Was Charles Carroll, of Carrollton, unwilling to jeopard fortune in the cause of liberty? Let me give you however, the testimony of George Washington. On his accession to the Presidency, he was addressed by the American Catholics, who advertizing to the restrictions on their worship then existing in some of the States, expressed themselves thus—"The prospect of national prosperity is peculiarly pleasing to us on another account; because while our country preserves her freedom and independence we shall have well founded title to claim from her justice the equal rights of citizenship as the price of our blood spilt under your eye, and of our common exertions

for her defence under your auspicious conduct." This great man, who was utterly incapable of flattery and deceit, utters in answer the following sentiments, which I give in his own words: "As mankind become more liberal, they will be more apt to allow that all those who conduct themselves as worthy members of the community are equally entitled to the protection of civil government. I hope ever to see America among the foremost nations in examples of justice and liberality; and I presume that your fellow-citizens will never forget the patriotic part which you took in the accomplishment of their revolution, and the establishment of their government, or the important assistance which they received from a nation in which the Roman Catholic faith is professed." By the by, sir, I would pause for a moment to call the attention of this committee to some of the names subscribed to this address. Among them are those of John Carroll, the first Roman Catholic bishop of the United States, Charles Carroll, of Carrollton, and Thomas Fitzsimmons; for the characters of these distinguished men, if they needed vouchers, I would confidently call on the venerable President of this Convention. Bishop Carroll was one of the best men and most humble and devout of Christians. I shall never forget a tribute to his memory paid by the good and venerable Protestant Bishop White, when contrasting the piety with which the Christian Carroll met death, with the cold trifling that characterized the last moments of the sceptical David Hume. I know not whether the tribute was more honorable to the piety of the dead, or to the charity of the living prelate. Charles Carroll of Carrollton, the last survivor of the signers of American Independence—at whose death both houses of the legislature of North Carolina unanimously testified their sorrow, as at a national bereavement! Thomas Fitzsimmons, one of the illustrious convention that framed the Constitution of the United States, and for several years the Representative in Congress from the city of Philadelphia. Were these, and such as these, foes to freedom and no fit for republicanism? Would it be dangerous to permit such men to be sheriffs and constables in the land? Read the funeral eulogium of Charles Carroll, delivered at Rouen by Bishop England—one of the greatest ornaments of the American Catholic Church—a foreigner indeed by birth, but an American by adoption, and who becoming an American, solemnly abjured all allegiance to every foreign king, prince, and potentate whatever—that eulogium which was so much carped at by English royalists and English tories—and I think you will find it democratic enough to suit the taste and find an echo in the heart of the sternest republican amongst us. Catholics are of all countries, of all governments, of all political creeds. In all they are taught that the kingdom of Christ is not of this world—and that it is their duty to render unto Caesar the things that are Caesar's, and unto God the things that are God's."

I shall now proceed with the testimony of the Irish Bishops in order, which was interrupted by the gentleman's question.

Here, sir, is the testimony of another Bishop—Dr. MURRAY, the present Archbishop of Dublin, before a Committee of the British Parliament.

"To what extent and in what manner, does a Catholic profess to obey the Pope?—Solely in spiritual matters, or in such mixed matters as came under his government, such as marriage for instance, which we hold to be a sacrament as well as a civil contract; as it is a sacrament, it is a spiritual thing, and comes under the jurisdiction of the Pope; of course he has authority over that spiritual part of it; but this authority does not affect the civil rights of the individuals contracting.

"Does this obedience detract from what is due by a Catholic to the state under which he lives?—Not in the least; the powers are wholly distinct.

"Does it justify an objection that is made to Catholics, that their allegiance is divided? Their allegiance in civil matters is completely undivided.

"Is the duty which the Catholic owes to the Pope, and the duty which he owes to the King, really and substantially distinct? Wholly distinct!

"How far is the claim, that some Popes have set up to Temporal Authority, opposed to Scripture and Tradition? As far as it may have been exercised as coming from a right granted to him by God, it appears to me to be con-

try to scripture and tradition; but as far as it may have been exercised in consequence of a right conferred on him by the different Christian powers, who looked up to him at one time, as the great parent of Christendom, who appointed him as the arbitrator of their concerns, many of whom submitted their kingdoms to him, and laid them at his feet, consenting to receive them back from him as fiefs, the case is different. The power that he exercised under that authority, of course passed away, when those temporal princes, who granted it, chose to withdraw it. His spiritual power does not allow him to dethrone kings, or to absolve their subjects from the allegiance due to them; and any attempt of that kind I would consider contrary to scripture and tradition.

"Does the Pope now dispose of temporal affairs within the kingdoms of any of the princes of the Continent? Not that I am aware of; I am sure he does not.

"Do the Catholic clergy admit that all the bulls of the Pope are entitled to obedience? They are entitled to a certain degree of reverence. If not contrary to our usages, or contrary to the law of God, of course they are entitled to obedience, as coming from a superior. We owe obedience to a parent, we owe obedience to the King, we owe it to the law; but if a parent, the King, or the law, were to order us to do any thing that is wrong, we would deem it a duty to say, as the Apostles did on another occasion, "We ought to obey God rather than men."

"Are there circumstances under which the Catholic clergy would not obey a bull of the Pope? Most certainly.

"What is the true meaning of the following words, in the creed of Pius the Fourth: "I promise and swear true obedience to the Roman Bishop, the Successor of Saint Peter?" Canonical obedience, in the manner I have just described, within the sphere of his own authority.

"What do the principles of the Catholic religion teach, in respect to the performance of civil duties? They teach that the performance of civil duties is a conscientious obligation which the law of God imposes on us.

"Is the divine law then quite clear, as to the allegiance due by subjects to their prince? Quite clear.

"In what books are to be found the most authentic exposition of the Faith of the Catholic church? In that very creed that has been mentioned, the creed of Pius the Fourth; in the catechism which was published by the direction of the Council of Trent, called "The Roman Catechism," or "The Catechism of the Council of Trent;" "An Exposition of the Catholic Faith, by the Bishop of Meaux, Bossuet;" "Verron's Role of Faith;" "Holden's Analysis of Faith," and several others."

Such is the character and limitation of the Pope's authority, attested under oath, by Bishops and other Catholic dignitaries before the British Parliament. The Catholics of Great Britain and Ireland had been bowed down to the earth, by penal laws and persecution during 300 years—with nothing between them and the enjoyment of all their rights, but the solemnity of an oath. If their conscience had permitted them to swear what they did not believe, they might have entered on their political rights at any time, and yet as martyrs to the sacredness of conscience they resisted.

I have now, sir, supplied the Reverend gentleman, who presented the remonstrance from the Methodist Episcopal church, will all the information which the occasion permits on the subject of the Pope's authority. But there is a good deal more to which if time allowed, I might address myself. He became very logical and insisted on the fact,

that the doctrines of the catholic church are always the same, immutable. He says, that we boast of this, and we do so, most assuredly. From the hour when they were revealed and taught by Divine authority until the present,—from the rising to the setting of the sun, the faith of the Catholic believer, and the doctrines of the Catholic church, are everlastingly and universally the same. But then he concludes that as Catholics in some instances in former times, persecuted,—so, their religion being always the same, they are still bound to persecute, or else disavow the doctrine, as Protestants do. Now, sir, we do disavow and despise the doctrine of persecution in all its essence and forms. But does it follow, that by this, we disavow any doctrine of the Catholic church? By no means. And this proves that persecution never was any portion of the Catholic faith; for if it had been, the denial of it would cut us off from her communion. The church we believe, by the promise and superintendance of Christ her invisible head and founder, to be infallible. She received the deposit of the doctrines revealed by Our Redeemer and his Apostles; her office is to witness, teach, and preserve them. These alone constitute the religious creed and doctrines of the Catholic church and her members. We believe in a Trinity, the Incarnation of Christ, the Redemption by his death, the divine Institution of the church. These and whatever the church holds, as of Divine Revelation, are the doctrines of our Catholic unity. And the individual, who is now addressing you, and the Catholic martyr, who is at this moment perhaps bleeding for his faith in China,—for the church has her martyrs still; hold and believe identically the same doctrines. But as there is unity in faith, so there is, in the church, freedom of opinion on matters which are not determined by any specific revelation. Hence we are Republicans, or Monarchs, according to individual preference, or the prevailing genius of the country, we belong to. Hence, when the Catholic divines at Rheims were appending these notes to their edition of the New Testament, the Catholic Bishops of Poland, with her 22 millions, were opening the doors of the Constitution to the fugitive Protestants of Germany, fleeing from the intolerance & persecution of their fellow protestants. The one act is as much a Catholic doctrine as the other, because in both cases the agents acted, not by the authority of the church, but in the exercise of that individual judgment for which their account stands to God.

But I must be brief. I cannot follow so many learned speakers through so much matter that is foreign to the subject; for I agree with the medical gentleman, who said that neither the Catholic nor the Protestant religion was on trial here, it is not religious creeds that are to be tested by this council. I have however, given this explanation, and I trust it will be received, though it may have been tedious, as having its apology in the remarks, which called it forth. I only wish that the gentleman, who made the observation had made it one hour and a half sooner; it would have saved all I have said on the subject.

But this speaker also, [Doctor Reese] lectured me for attending certain meetings, as if it were a descent from my dignity to find myself in an assembly of Freemen. I did not consider it as a descent. But really when I came here in the simple character of a citizen, I did not think I should be vested with my official robes for the purpose of being attacked. Individuals as respectable as he attended those meetings, and I consider it no disgrace to have been there or here; for even if this petition came not from Catholics, but from Methodists or any other Protestant de-

nomination, whose consciences were violated by this system, I should be found in their midst supporting their claim. Let me add too, that I would rather be so found, than for all the exchequer of the Public School Society, exchange places with gentlemen, and have conscience and right for my opponents. He also contended, that this want of confidence in Catholics was the result of my appeals, forgetting that the state of things which is now brought under public notice has existed for years, by efforts to provide a safe education for our children, long before those meetings were called, and before I attended them. And besides I conceive it is my bounden duty, if I saw principles inculcated which will sap the young minds of our children, and I have no doubt this honorable board will say it is my duty, to warn them, and to bring them within the pale of that authority, which they acknowledge. I wonder if Presbyterian gentlemen would see Catholic books, circulated amongst their children, and not warn their people against them? I wonder, if these books contained reading lessons about Calvin and the unhappy burning of Servetus, whether they would not warn their people. I say, if they believe in their religion, they would be in the discharge of their duty. And while on this subject it occurs to me at this moment, that in the wide range of observation which has been taken, reference has been made to national education in Ireland. And we are told that after books had been agreed upon, the Bishops sent the question to Rome; to be decided by the Pope. What question? Can they tell? for I am sure I cannot. To this day, I have never understood the exact nature of the reference to the Pope, but sir, this is no extraordinary thing. Under the jealous eye of the British Government, even in the darkest hour of her cruelty to Catholics, their intercourse with Rome was not interrupted. But while that collection and compilation of scripture lessons was agreed on in the more Catholic parts of the country where the population is divided between Protestants and Catholic, what is the fact? Why in another part, the North of Ireland, where the Presbyterians are more numerous, they had conscientious objections to this selection of scripture, they asserted their objections, and the British Government recognized them; and thus while these lessons, by agreement, were in general use, an exception was made in favor of the Presbyterians, who had objections to the use of any thing but the naked word of God, and I say, honor to those Presbyterians. The Catholics sent in no remonstrance. But if the rule applied to their case, by what authority will your honorable body determine that it shall not apply to ours? Oh! I perceive. The gentleman whose remarks, I am reviewing, reasoned on until he arrived at the conclusion, that there were no conscientious grounds for our objection at all. True, we said we had; but he could not see what conscience had to do with a matter so plain. He said, here the community had built up a beautiful system; it was doing good; he asked shall we put it aside in deference to pretended scruples? Now, tell me when the despotism of intolerance ever said any thing else than this?—Why the established Church of England, said "we are doing good," "our doors are open to all," the minister is at the desk, and the bread of life is distributed for the public good." What then? What business have these unhappy parents to find fault, for conscience sake, and squeamishness? Now sir, objections can exist to the slightest shade of violation to our conscience, and therefore, I did not expect to hear this argument at this time of day. But the gentleman speaks of my addressing the public meetings to

which he has alluded, as though my speaking there had been the cause instead of the consequence of the scruples of our people. Then it was I joined them to seek a remedy, for our just complaint, but if in your wisdom this body shall think proper to deny it as we must bear it.

He contended again that it would be turning the public money to private uses. That seems to me to have been fully answered. He also contended that it would be the giving of the money of the State to support religion. That I have disputed; for if so I shall have no objection to join those gentlemen in their remonstrance. But at the same time it does appear strange to me that the gentleman, who pretends to have read the scriptures with so much attention, should not have learned that principle—the most general, sir, and the most infallible of Christian principles for the guidance of our conduct—"DO UNTO OTHERS AS YE WOULD THAT OTHERS SHOULD DO UNTO YOU." That is the principle; and is it not strange that such opposition should be made to us when it is known that money raised by public tax, goes to the support of literature under the supervision of the METHODIST EPISCOPAL CHURCH? And why do not Catholics object to that? Because the tax does not belong to any particular sect; it is thrown into a common fund and applied to such uses as the legislature in its wisdom thinks proper. We sir, however, ask for our own and nothing else. But if you say that we shall be taxed for a system which is so organized that we cannot participate in it without detriment to the religious rights of our children, then I say that injustice is done even to our civil rights; for taxation is the basis of even civil rights. And I was not a little struck in the course of the argument, that some gentleman should refer with so much emphasis as to a circumstance novel and unparalleled even in social life—that a certain class of gentlemen should petition for what? The privilege of being taxed! They deemed it a *privilege*; and that was wonderful! and merit was ascribed to them for it. Yes, sir, but did it go to the extent only of their own pockets? Or did it not reach the pockets equally of those who did not petition? If to themselves only, it was all fair, and proper, disinterested and patriotic: but great emphasis was laid on this class being most "intelligent," and "wealthy," and "respectable," nobility almost, as though a question of this kind was intended for a particular class. But let me tell you the honest man who occupies only a bed in a garret, is also a tax payer. Why give him a vote? Because he pays tax for the *space* he occupies. If he occupies a room and pays the tax, his rent is less—if the landlord pays, his rent is so much more. So, if he occupies a garret—or if he boards, it goes down to that, for the person who keeps the boarding house pays the rent; if that tax is paid by the boarding house keeper the rent is so much less, than if the tax was paid by the landlord. If the boarding house keeper pays the tax he charges more for board. So that the boarder is a tax payer, and it is so understood in our broad and excellent system of representation. The exclusive merit of this tax, then, is not to be given to any particular class, no matter how wealthy; and I was surprised that so much emphasis should be laid on it. I did not suppose that the interests of the poor were to be sacrificed to the respectability of the rich. The poor pay too, and it is a beautiful and admirable thing to see what a dignity this confers on human nature—what an interest this excites in the poor. I recollect passing along a street some time since, and I observed a little house, almost a shed or hovel, some fourteen or sixteen feet square, which was too small

to be divided into two compartments. It had but one window, and this had originally had four panes of glass, but one, having been broken it was darkened. There had been some political party triumph; the boys in the streets had their drums out and there appeared to be a popular rejoicing, and there I saw three lights burning in the window of this poor habitation. I was amused to see that a man living in so poor a hovel, and unable to buy a fourth pane of glass should find means to light the other three. But on further reflection I said to myself, "there is philosophy there." What other nation can exhibit such a spectacle? This poor man who must toil till the day he goes to his grave, participates in a political triumph. His bread has to be earned by daily toil, nevertheless, though the triumph perhaps will never benefit him, he exhibits a glorious spectacle to the world. He is a **MAN**—he feels it is recognized. It is a nation's homage offered to human nature. He is a **MAN** and a **CITIZEN**; and on reflection I was delighted at a spectacle so glorious as this.

But returning to the subject, they say all religion is left to voluntary contribution. Now is this true in the sense in which it is here applied? Are not chaplains appointed to public institutions which are supported by the public money? And have you not given it to the Protestant Orphan Assylum, and the half orphan assylum? Have you not given it to the Catholic Benevolent Society? And do you suppose the Wesleyan Catechism is taught there? Do you suppose the Catholic Catechism is taught in the Protestant Asylums? One gentleman argued that you had not power to do this. But if you have done it, does not that prove that you had the power? If you had power to do that you have power equally to do this. I shall go further. I find in the Report of the Regents of the University, that the Genesee Wesleyan Seminary—Theological Seminary, as I understand—has last year received \$1,395 56 of the public money. This is not exclusively literary as I understand it—

DR. BANGS. Altogether literary.

**BISHOP HUGHES.** I was under the impression that it was Theological, and that religion was admitted. But those in this city furnish evidence that a religious profession does not disqualify.

I believe now sir, I have gone through the substance at least, if not through every particular, of what has been said by the gentlemen who interpose their remonstrances and their arguments in opposition to our rightful claim. I will now read one authority, and I am the more willing because it is from the public school society themselves. It is from the memorial which they presented to the Legislature in the Session of 1823, in which they state, page 7, "It will not be denied"—recollect I do not quote this to show that our petition ought to be granted; but that whatever opinion these gentlemen may now have of the unconstitutionality of granting this claim, they saw nothing unconstitutional in the practice then, and I know of nothing so far as the constitution is concerned, neither of the state, nor of the United States—I know of no enactment which should change their opinion.

"It will not be denied, in this enlightened age, that the education of the poor is enjoined by our holy religion, and is therefore, one of the duties of a Christian Church. Nor is there any impropriety in committing the school fund to the hands of a religious society, so long as they are confined in the appropriation of it, to an object not necessarily connected, or intermingled with the other concerns of the church, as for instance to the payment of teachers, because

the state is sure in this case, that the benefits of the fund, in the way it designed to confer them, will be reaped by the poor. But the objection to the section, sought to be repealed is, that the surplus monies, after the payment of teachers, is vested in the hands of the trustees of a religious society, and mingled with its other funds, to be appropriated to the erection of buildings under the control of the trustees, which buildings may, and in all probability will, be used for other purposes than school houses."

That is the statement of the Public School Society itself; and throughout this document—while the gentlemen here have been wielding against our petition the influence of respectable and wealthy classes—I find that before the acquisition of their monopoly, they advocated the claims of the poor who *cannot buy* education—sometimes scarcely bread. This is the class to whose welfare the eye of the enlightened, the patriotic, and the benevolent should be directed—this is the class that essentially requires education. Thus they say, “The school fund is designed for a civil purpose, for such is the *education of the poor*.”

Again, they say that the New York Free School (that was their own Society) has "one single object, *the education of the poor.*" Again, the Board of Trustees is annually chosen, &c., "*for the education of the poor.*" And yet now I could point out thousands of our poor who are destitute of education, and who have no means to provide it. We do what we can, but we are too limited in means to raise, of ourselves, a sufficient fund; we have laboured under great disadvantages; we have taught the catechism in our schools, because while we supported them we had the right to do so; but if you put them on the footing of the common schools we shall be satisfied, and the state will secure the education of our children; you will secure them an education on the basis of morality, for they had better be brought up under the morality of our religion, though gentlemen object, than none at all. They say the objection to the present schools is that there they are made Protestants. No, sir, it is because they are made *Nothingarians*, for we cannot tell what they are. I have now concluded, and if I have been obliged to trespass long upon your patience, recollect as some extenuation, that I had a great deal to reply to in the arguments of gentlemen which were urged to overthrow the principles of our petition, but had no bearing on the petition at all. We do not ask for the elevation of the Catholics over others; but for the protection to which all are entitled. The question is exceedingly plain, and simple. If it has *or can* be shown that we are claiming this money for sectarian purposes, then I should advise you to withhold it. But if in honesty, and truth, and sincerity, it is a right belonging to us as citizens, to receive our *pro rata*, then we appeal to you with confidence.

From the sentiments expressed here on behalf of the Public School Society, you can judge of the chance that Catholic children have in those schools, to have their religious rights respected. It will be, as perhaps it has been, considered a great and a good work to detach them from a religion which is supposed "to teach the lawfulness of murdering heretics." Infidelity itself will be considered preferable to Catholicism in their regard, for one Rev. gentleman has told you that if there was no alternative, he would embrace the doctrines of Voltaire, rather than the religion of a Cheverus or a Fenelon. If the Catholics have been obliged to keep their children from those schools in time past, you may imagine what effects these sentiments this

*animus* of the system is likely to have on their minds for the time to come. But if it is our religious right to have a conscience at all, do not take pains to pervert it, for we shall not be better citizens afterwards. Do not teach us to slight the admonitions of our conscience. Reverse our case and make it your own, and then you will be able to judge. Make it your own case, and suppose your children were in the case of those poor children for whom I plead; then suppose what your feelings would be if the blessings of education were provided bountifully by the State, and you were unable to participate in those blessings, unless you were willing to submit that your conscience should be trampled upon.

Here the Right Rev. Prelate sat down after having spoken for nearly three hours and a half.

DR. BANGS. I wish simply to correct an error into which the Rev. gentleman has fallen, respecting an observation I made as to a matter of fact. I believe he understood me to say that it was my opinion the legislature ought to take the children of Catholics and compel them to attend the schools. If so, he misunderstood me. I meant to say that those children that do not go to any schools ought to be compelled to go to the public schools.

A brief conversation ensued between the Right Rev. Bishop Hughes, and Dr. Bond in explanation of the charge made against John Wesley that he had aided or excited Lord George Gordon's mob.

THE RIGHT REV. BISHOP HUGHES. Might I be allowed to read the passage from the chapter on "the character of Christ" by the Bishop of London, to which reference has been had. Speaking of Jesus Christ it says:

"His answers to the many insidious questions that were put to him, showed uncommon quickness of conception, soundness of judgment and presence of mind; completely baffled all the artifices and malice of his enemies; and enabled him to elude all the snares that were laid for him."

MR. KETCHUM rose and said, I wish, sir, to say a few words in explanation. I do not wish to continue the theological discussion, but to make a few remarks on the precise issue before the Board.

THE CHAIRMAN—That has, I apprehend, been very fully debated.

MR. KETCHUM—I desire to make a remark in reply to the gentleman on the other side, in reference to the publication of the Bishop of London. But first, sir, the reverend gentleman, has endeavored, with great dexterity, to place this case upon the consciences of the Catholic Society. He has represented the decision of this Board against their petition, as a violation of the rights of conscience.—He well knows the favorable attitude in which they stand, who appear to be persecuted for conscience sake. Does the reverend gentleman mean to say here, he has conscientious scruples against these schools as public institutions? Does he mean to affirm here, that they have not performed all they promised—namely, to give a good, secular education to the poor? No, that is not affirmed. Whatever he may have stated, and whatever he may have contradicted, throughout the length of his address, he made no such declaration. But the Roman Catholics have conscientious scruples—they cannot send their children to these schools without sacrificing their right of conscience! Now the "Friends" cannot send their children to these schools, because they believe, in their consciences, that they ought to educate their own children; but can the Friends say they are opposed, upon conscientious grounds, to these schools?

They are established by a public act of the State, for a public purpose, and they have accomplished their purpose—they have furnished all the education they promised. But now the reverend gentleman says, his conscience, and the consciences of the Roman Catholic community are violated, because they cannot send their children to these schools.—Do they mean to say they have conscientious scruples against paying their portion of the tax for the support of these schools? It might well be that some denominations of Christians, have conscientious scruples against sending their poor to be taken care of at the alms-house; but would they have the right to say that they would not therefore be taxed for the support of the poor? The conscientious scruple here is not against paying the tax, but against sending their children to these schools: now, who compels them? Does the State interfere and say they shall send their children to these schools? The State says that they, in common with others, shall pay the tax to support these institutions of learning: have they alleged that their consciences are violated by paying this tax? Can they say so? No. Wherein then consists this pressure on their consciences?

Now, Mr. President, allow me to take another view of this conscientious objection. If I am taxed to support the religion of the Roman Catholics, my conscience is violated, because I am compelled to pay a tax to support that, which I believe ought not to be supported. If you establish these sectarian schools through this community, and make Protestants pay for Catholic schools, then indeed you infringe the right of conscience, because you compel them to do that which is a violation of their consciences. But we do not compel them to attend these schools. We receive this public bounty, and we come here and account for the manner in which we use it. The gentleman does not object to this. He does not object to our doing good to the children that do come. That is not the objection; but he objects that he cannot send his children. He pays a tax for a necessary public purpose—admitted to be necessary—but because he cannot come in and participate, he insists that this public fund shall be taken by the Roman Catholics, by the Methodists, by any and every other denomination, to support their religion. Grant this, and then indeed you will infringe the right of conscience. I do not mean that the reverend gentleman shall have the advantage here of standing on this right of conscience. The consciences of thousands and tens of thousands of this community will be violated, if they are to be compelled to pay a tax to the public treasury, and from thence to make religionists of a description that they oppose. I want this matter to be set right, not only in the estimation of this Board, but of the public. I want them to see what this oppression of conscience is. If it is any where it is on those who pay the tax of which they do not in their conscience approve; the pressure is not on the man that cannot send his children to participate in the fund. I cannot send my children to these schools. There are obstacles in the way as formidable as the gentleman's conscience. There are obstacles perhaps with tens of thousands who pay the tax, but do not participate, and who cannot participate, because this obstacle exists. But have they the right to say they will withhold their tax? Would the State listen to such an objection? No; the State has established these public institutions for a necessary public purpose; every man must be taxed for their support; and if he does not avail himself of them, it must be his own fault, or his own peculiarities perhaps. And now what, after all, is the objection to these

schools? Why from the beginning to the end of this ~~cept~~ the theological part? And now the next great topic is three hours speech, we have heard that these books contain passages that reflect on Catholics.

The CHAIRMAN interposed.

Mr. KETCHUM continued. This is new matter so far as I am concerned. From the beginning to the end of the gentleman's speech, we have heard that the books used in these public schools, contain passages that reflect on Roman Catholics. Now I submit to any fair, candid man, if this is the time of day to bring such a charge. The books have been placed in the hands of the reverend gentleman; he has been asked to put his finger on any objectionable passages, that the Board might pass a resolution for its expurgation; and now the gentleman comes here and lays great stress on, and urges as an argument against the system from the beginning to the end, the passages which the trustees offered to expunge. Sir, when the trustees offered to expunge the passages, in all fairness and candor, they were to be considered, for the true purposes of this argument, as expunged. And if they were expunged, what would become of three-fourths of the gentleman's speech; all indeed, ex-

cept the theological part?

And now the next great topic is the Bible.

The PRESIDENT.—The gentleman is not in order.

Mr. KETCHUM.—I'll not press this matter if it is disagreeable. I know the night is far advanced.

The CHAIRMAN.—I must say the gentleman is out of order. The Board agreed that the parties should be heard in the order in which their memorials were presented—that the petitioners should have the usual right to reply: they have been so heard, and the gentleman is therefore out of order unless the Board rescinds its resolution.

An ALDERMAN then observed that there were some gentlemen that were desirous of putting in written legal opinions, and he moved that they have permission to do so at the next meeting of the Board.

The PRESIDENT said that the next meeting of the board was Monday next, and therefore no order of the board was necessary for an adjournment on the subject.

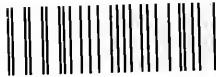
It was then understood that legal opinions would be received at the next meeting of the Board.

The debate was here brought to a close, and the council adjourned a few minutes before twelve o'clock.





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